

CHAPTER 11

PUBLIC INVOLVEMENT

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11. PUBLIC INVOLVEMENT

11-1 OVERVIEW

Public involvement is two-way communication, soliciting comments from the public and conveying responses back. It informs the public about a project's purpose and needs, options and constraints. It also provides opportunities for public input and mediates differences.

Public involvement should:

1. Be inclusive of all decision-makers and stakeholders. Include as many groups and individuals as possible. A good practitioner knows the community, is proactive, and seeks out people; especially those who will be most affected.
2. Have a heavy emphasis on partnering; achieving a mutual understanding of issues and agreeing to work together to find solutions. Communication should be courteous. All opinions should be considered and responded to promptly and respectfully.
3. Begin early in the project process and be proactive and ongoing. Appropriate public notice should be given for all major transportation project decisions, by conforming to or exceeding state and federal regulations.
4. Be defined, structured, transparent, and clearly delineated at the beginning of the project. Participants should understand the process and be aware of critical decision points where they can provide input.
5. Use the most appropriate tools for each audience, by identifying the audience and needs for each project and any potential barriers to communication. Understanding the concerns of the public can reduce the risks of litigation and avoid project delays.

Early and continuous public involvement gives the Florida Department of Transportation (FDOT) an opportunity to understand potential issues/impacts “up front” and to deal with them early in the project process so they can be minimized and solutions can be found prior to the final design phase of a project. The intent of public involvement is to fully inform and involve the public, including property owners, tenants, business owners and operators, public officials and agencies, users of the facility, interested individuals and special interest groups during the development of transportation projects.

Public involvement activities are most extensive during the Project Development and Environment (PD&E) phase. These activities allow the public to provide input in transportation decisions that result in the development of a transportation system that

truly meets community needs and desires. Through public involvement, we can gain a thorough understanding of the affected community and use this knowledge to evaluate the sociocultural effects of the project alternatives. Another important objective is to involve other agencies that can play a cooperative role in identifying, evaluating, and addressing the potential project effects to the surrounding community. Public involvement, in conjunction with other sources of data, plays an essential role in the assessment of the social, economic, land use, mobility, aesthetic, and relocation effects of transportation projects.

The ***Department's Public Involvement Opportunities, Topic No. 000-525-050***, effective September 15, 2005, states the following:

"The Department recognizes the importance of involving the public in information exchange when providing transportation facilities and services to best meet the state's transportation challenges. Therefore, it is the policy of the Florida Department of Transportation to promote public involvement opportunities and information exchange activities in all functional areas using various techniques adapted to local area conditions and project requirements."

FDOT's Environmental Policy (000-625-001) includes the following:

1. Consider social consequences resulting from transportation actions to ensure that impacts to the human environment are identified and fully considered equally with impacts to the natural and physical environments.
2. Be sensitive to community values and needs, utilizing an open decision-making process, which strives to accommodate community concerns, where feasible, and facilitate problem solving in a collaborative manner.
3. Utilize proactive public involvement that is responsive to the general public, agencies and groups in addressing environmental issues and developing transportation plans, programs, and policies.

An additional resource for public involvement is the ***Public Involvement Handbook***, published by the Department's Central Environmental Management Office (CEMO). This handbook can be downloaded from the internet on CEMO's website, under "Publications" (see References for link to website).

11-1.1 Public Participation and Public Input

Public participation is the active and meaningful involvement of the public in the development of transportation plans and improvement programs. Various federal and state regulations (see ***Table 11.1***) require that state departments of transportation and Metropolitan Planning Organizations (MPOs) proactively seek the involvement of all interested parties, including those traditionally underserved by the current transportation system.

Public input can be a statement, fact or opinion; received via a phone call, personal discussion, e-mail, letter, or through participation in a public forum. Public Hearings are required on all major transportation improvements, generally prior to a decision point, such as work program development, and Location and Design Concept Acceptance

Comments received from the public serve several purposes. Comments help provide documentation for the public involvement activities that have been conducted. Public comments help build an understanding of community issues and needs which should be considered in designing transportation solutions that fit community needs. Information gleaned from public comments serves as an excellent record for future project phases. The number and types of comments received help evaluate the success of the individual public involvement activities as well as the overall Public Involvement Plan.

11-1.2 Compliance with Federal, State and Local Requirements

All public involvement guidelines and recommendations in this chapter are in compliance with the federal and state requirements listed in the table on the following page.

TABLE 11.1 Federal and State Requirements

Requirement	Description
FEDERAL REQUIREMENTS	
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) - August 25, 2005
ISTEA	Intermodal Surface Transportation Efficiency Act - 1991
TEA-21	Transportation Equity Act for the 21st Century - June 9, 1998
23 CFR, Chapter I, Part 450	Planning Assistance and Standards
23 CFR, Part 771, Section 771.111	Environmental Impact and Related Procedures - Early Coordination, Public Involvement, and Project Development
40 CFR, Chapter I, Part 93.105	Environmental Protection Agency, Transportation Conformity Rule Amendment - Consultation
40 CFR, Volume 31, Chapter V, Parts 1500-1508	Council on Environmental Quality Regulations (NEPA Requirements)
49 CFR, Subtitle A, Part 24	Uniform Relocation Assistance and Real Property Acquisition Policies Act
23 USC, Section 109(h)	Highways - Economic, Social, and Environmental Effects
23 USC, Section 128	Public Hearings
23 USC, Section 135	Statewide Planning
42 USC, Chapter 126, Section 12101	Americans with Disabilities Act of 1990, Titles I and V
42 USC, Subchapter V, Sections 2000d-2000d-7	Public Health and Welfare - Title VI of the 1964 Civil Rights Act and Related Statutes
42 USC, Title 42, Chapter 55, Section 4321	National Environmental Policy Act of 1969 (NEPA)
Executive Order 12898	Environmental Justice - Avoidance of actions that can cause disproportionately high impacts on minority and low income populations
Executive Order 13166	Improving access to services for persons with limited English proficiency
Technical Advisory 6640.8A	Guidance for preparing and processing Environmental and Section 4(f) documents - October 30, 1987
STATE REQUIREMENTS	
Florida Statute 120.525	Meetings, Hearings, and Workshops
Florida Statute 286.011	Government-in-the-Sunshine Law
Florida Statute 339.135	Public Hearings during the development of the Florida Transportation Plan
Florida Statute 339.155	Transportation Planning
Florida Statute 339.175	Public Transportation Finance and Planning
Florida Statute 335.02(1)	Public Transportation, State Highway System
Florida Statute 479.106, Amended - HB 273	Outdoor Advertising Signs/Noise-Attenuation Barrier
LOCAL REQUIREMENTS	
Florida Statute 163.3181(2)	Public Participation in the Comprehensive Planning Process; Intent, Alternative Dispute Resolution.

11-1.2.1 District Transportation Planning Requirements

Each Florida Department of Transportation district office develops a District Work Program in cooperation with the Metropolitan Planning Organizations (MPOs) and counties within its jurisdiction, per **Section 339.135(4)(c), F.S.** These District Work Programs include, to the maximum extent feasible, the MPOs' and Board of County Commissioners' project priorities.

Section 339.135 (4) (d), F.S. requires that each district office hold at least one public hearing in an urbanized area within its jurisdiction and make a presentation to each MPO within the district to determine if any changes are necessary to projects listed in the District Work Program. The general public is invited to attend these public hearings. For more information, see **Part 2, Chapter 2, of the Work Program Instructions**.

11-1.2.2 Local Transportation Planning Requirements

Florida Law, Section 163.3181(2), F.S., requires city and county governments to follow procedures providing for effective public participation in the process of developing and/or amending local government comprehensive plans. This includes notifying property owners of all official actions which may have an impact on the future use of their property. During the development of comprehensive plans or plan amendments, public participation should provide opportunities for public review of proposals and alternatives, written comments and responses to these comments, open communication and discussions, and public hearings. Citizen's Advisory Committees (CACs) are often used for input and evaluation when comprehensive plans or plan amendments are developed. **23 CFR 450.316** requires timely notice of public involvement activities, reasonable access to information, and convenient and accessible meeting times and locations.

The results of public involvement conducted during project planning phases should be summarized by the MPO or Planning staff and provided to or coordinated with the Community Liaison Coordinator (CLC) for inclusion into the summary of public comments or Sociocultural Effects Evaluation (SCE) in the Environmental Screening Tool.

11-1.2.3 Title VI /Nondiscrimination

All FDOT projects must comply with **Title VI** and its various related statutes, as listed in the Department's Non-Discrimination Statement (**Topic Number 001-275-006**) and implementing procedure (**Topic Number 275-010-010**). This includes all federally and non-federally funded programs administered by the FDOT and its sub-recipients. In addition, coordination with the District Title VI Coordinator must occur to insure that all programs within the PD&E process comply with these regulations.

11-1.2.4 Limited English Proficiency (Executive Order 13166)

In August 2000, President Bill Clinton signed an executive order, ***Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency (LEP)***, to ensure that people with limited English proficiency can meaningfully access programs and activities of agencies receiving federal financial assistance.

In December 2005, the US Department of Transportation published ***Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Person*** to provide guidance for all DOT funding recipients in meeting the intent of ***Executive Order 13166***.

As part of this guidance, four factors were identified to help determine if LEP services would be required on a case by case basis. These factors include the following:

Factor 1: The number and proportion of LEP persons in the eligible service area;

Factor 2: The frequency with which LEP persons come in contact with the program.

Factor 3: The nature and importance of the program, activity, or service provided by the recipient to people's lives;

Factor 4: The resources available to the recipient and costs

In the development of a Public Involvement Program, it is important to consider LEP needs based on the factors above. The US DOT Policy Guidance provides flexibility in determining what language assistance is appropriate based on a case by case basis of the four factors listed above. The FDOT has determined that if demographic data indicates that 5 % or 1,000 persons or more in a project area speak a language other than English then LEP accommodations should be required.

When necessary and based on the Four Factor process, the Public Involvement Program should include accommodations such as providing translations of brochures, meeting invitations, and newsletters in the appropriate language(s). Notice of availability of workshops or public meetings should also be provided in print materials in the appropriate language. In addition, interpreters should be provided at workshops and public meetings if LEP needs are applicable.

11-1.2.5 Plain Language Initiative

All forms of notification to the public should comply with the Governor's Plain Language Initiative (***Executive Order 07-01***). This includes presentations on websites, letters, advertisements, notices, applications, reports, pamphlets and any other

communication meant for public use. The Executive Order requires clear language containing only necessary information presented in a logical sequence. It further calls for short sentences written in the active voice that make it clear who is responsible for what. For help in complying with this initiative, contact your District's Public Information Office.

Beginning in 2003, the Federal Highway Administration (FHWA) cooperated in an effort designed to improve the readability and functionality of the documents prepared for transportation projects in compliance with **National Environmental Policy Act (NEPA)**. The report, **Improving the Quality of Environmental Documents**, is the result. This American Association of State Highway & Transportation Officials (AASHTO), American Council of Engineering Companies (ACEC) and FHWA cooperative initiative offers three core principles for quality **NEPA** documents:

1. Tell the story of the project so that the reader can easily understand the purpose and need of the project and the strengths and weaknesses of alternatives.
2. Keep the document as brief as possible by using clear, concise writing, an easy-to-use format, effective graphics and visual elements, and discussion of issues and impacts in proportion to their relative importance.
3. Ensure that the document meets all legal requirements in a way that is easy to follow for regulators and technical reviewers. More information is provided in the report "**Improving the Quality of Environmental Documents**". A link to this document is provided in the References.

11-2 PROCEDURES

The following public involvement procedures and activities, based upon federal, state, and department regulations and policies, provide opportunities for early and continuous communication between the community, local governments and agencies, and key project staff, allowing for an open exchange of information and ideas. These procedures are for the PD&E Phase. There are other applicable procedures for the Design and Construction Phases (see the **Florida Department of Transportation Plans Preparation Manual, Volume 1, Chapter 1, Public Involvement and Section 11-2.13**, Community Awareness Plans).

11-2.1 Environmental Class of Action

An Environmental Class of Action Determination is required for all federal actions and establishes the level of environmental documentation required to comply with the ***National Environmental Policy Act (NEPA) of 1969*** as amended, and the regulations of the Council on Environmental Quality (CEQ), ***40 Code of Federal Regulations (CFR), parts 1500 through 1508***.

The procedures for the Environmental Class of Action Determination are described in ***Part 1, Chapter 2, Environmental Class of Action Determination***. This chapter provides a list of project types that qualify for screening in the Environmental Screening Tool (EST). These projects should have sufficient information on the anticipated impacts to assist in determining the appropriate Environmental Class of Action. This information is analyzed as part of the Planning and Programming Phases of the ETDM process and included in the ***Final Programming Screen Summary Report***. At a minimum, qualifying projects must complete the Programming Phase of ETDM to determine the Class of Action.

The following sections illustrate the public involvement requirements and activities for each Class of Action.

11-2.1.1 Categorical Exclusions

A Categorical Exclusion (CE) is a project which does not individually or cumulatively have a significant environmental effect and is excluded from the requirements to prepare an Environmental Assessment or an Environmental Impact Statement. CE determinations apply only to federally funded projects [Note: The Federal Highway Administration (FHWA) may not always be the lead agency. Whenever FHWA is referenced in this Chapter, it may be exchanged with Lead Federal Agency].

11-2.1.1.1 Type 1 Categorical Exclusion (Type 1 CE) and Programmatic CE

Projects determined to be Type 1 CEs and Programmatic CEs do not normally require ***National Environmental Policy Act (NEPA)*** approval by FHWA. A list of these projects can be found in this manual in ***Part 1, Chapter 2, Environmental Class of Action Determination***.

Public involvement activities for Type 1 and Programmatic CEs:

1. A ***Community Awareness Memorandum (CAM)*** may be prepared by the project manager when the District determines that a sensitive community issue exists on or near the proposed improvement.

2. If a **CAM** is prepared, it should recommend public involvement activities deemed appropriate to meet community concerns and specify the phases of project development at which they should occur.

11-2.1.1.2 Type 2 Categorical Exclusion (Type 2 CE)

The Environmental Class of Action for a Type 2 CE is determined at the end of the Programming Phase that takes place within the Environmental Screening Tool (EST), or through the Minor Categorical Exclusion (MiCE) process (**Part 1, Chapter 2, Environmental Class of Action Determination**). A Type 2 CE Class of Action is applied to projects that do not individually or cumulatively have a significant environmental effect (see **Figure 11.2**) and require additional documentation to support the determination that the project is a CE. More information on Type 2 CEs can be found in **Part 1, Chapter 5, Type 2 Categorical Exclusions**.

Public involvement activities for Type 2 CEs:

1. The District initiates a **Public Involvement Program (PIP)** in compliance with State and Federal rules, regulations, and policies.
2. A public hearing is required pursuant to **Section 339.155(6), F.S.**, for a “Major Transportation Improvement”.
3. For projects that are not a “Major Transportation Improvement”, the District may elect to hold a public hearing or provide public involvement without a hearing (in consultation with the lead federal agency for federally funded projects).
4. The public hearing transcript is forwarded to the lead federal agency as part of the Type 2 CE documentation.
5. Notice of Location and Design Concept Acceptance is published in the local newspaper.

11-2.1.2 Environmental Assessment (EA)

An Environmental Assessment (EA) is prepared for projects when the significance of the environmental impact is not clearly established. All projects in this class require the preparation of an EA to determine the appropriate environmental documentation and level of public involvement required (see **Figure 11.3**).

Public involvement activities for EAs:

1. The District initiates a **Public Involvement Program (PIP)** in compliance with State and Federal rules, regulations, and policies.

2. A Citizens Advisory Committee (CAC) may be established (optional).
3. The District may conduct a project kick-off meeting for local community leaders and government officials.
4. A public information meeting may be held to inform the public of alternative designs and potential impacts, and to receive input.
5. After approval of the EA, the District places a **Notice of Availability** in the local newspaper stating the EA has been approved and where it is available for review. The same ad may include the notice of a public hearing.
6. A public hearing is conducted to comply with **Section 339.155(6), F.S.**
7. The public hearing transcript is forwarded to the lead federal agency.

11-2.1.3 Environmental Assessment with Finding of No Significant Impact (FONSI)

When a project is found to have no significant impacts on the quality of the human environment after the EA has been completed, a Finding of No Significant Impact (FONSI) statement is submitted.

Public Involvement requirements for FONSI:

1. The District publishes a notice in the same local newspaper that the public hearing notification was published in to let the public know that Location and Design Concept Acceptance (LDCA) has been received from the lead federal agency.

11-2.1.4 Draft Environmental Impact Statement (DEIS) and Final Environmental Impact Statement (FEIS)

A Draft, and then, Final EIS is prepared for projects that significantly affect the environment as defined by Council of Environmental Quality (CEQ) regulations (see **Figure 11.4**). For more information see **Part 1, Chapters 8, Draft Environmental Impact Statement and 9, Final Environmental Impact Statement**.

Public involvement activities for Draft and Final EISs:

1. Once a Class of Action is approved and the decision is made to prepare an EIS, the District prepares a **Notice of Intent** for publication in the Federal Register to inform the general public of the scope of the project. FHWA publishes the notice in the **Federal Register**.

2. The Department may hold a formal scoping meeting with the FHWA, government agencies, and other parties with an interest in or jurisdiction over the project area (optional).
3. The District initiates a **Public Involvement Program** in compliance with State and Federal rules, regulations, and policies.
4. A Citizens Advisory Committee (CAC) may be established (optional).
5. The District may conduct a project kick-off meeting for local community leaders and government officials.
6. Public information meetings may be held to inform the public of alternative designs and potential impacts, and receive input.
7. After approval of the Draft Environmental Impact Statement (DEIS), the District places a **Notice of Availability** in local newspaper(s) stating that the DEIS has been approved and where it is available for review. The same ad may include the notice of a public hearing.
8. The District sends the DEIS to EPA for publication in **Federal Register** for a 45-day comment period.
9. A public hearing is conducted to comply with **Section 339.155(6), F.S** and **NEPA**.
10. The FEIS including the public hearing transcript, any comments received during the comment period, and responses to those comments are forwarded to the lead federal agency for approval.
11. In accordance with **23 CFR 771.125**, the District places a **Notice of Availability** of the approved FEIS in local newspaper(s) initiating the 30-day review period and identifying where the document is available for public review. After approval, the FEIS should be available for public review at the District's office and at the lead Federal agency's office. Copies should also be available for public review at institutions in the project vicinity such as local government offices, libraries, or schools, as appropriate. **Figure 11.22** provides a sample of the **Notice of Availability** of the FEIS.
12. The District sends the FEIS to EPA for publication in **Federal Register** for a 30-day comment period.
13. For noticing of Record of Decision/LDCA see **Section 11-2.10**.

11-2.1.5 State Environmental Impact Report (SEIR)

When non-federal funding sources are to be used to develop and construct a transportation project, or no federal action is needed a determination whether the proposed project is a Non-Major State Action or a State Environmental Impact Report (SEIR) must be made.

Public Involvement activities for SEIRs:

1. The District or the party conducting the SEIR (local government, developer, etc.) initiates a **Public Involvement Program** in compliance with State and Federal rules, regulations, and policies.
2. A Citizens Advisory Committee (CAC) may be established (optional).
3. The District may conduct a project kick-off meeting.
4. A public information meeting may be held to inform the public of alternative designs and potential impacts, and receive input.
5. After approval of the Draft SEIR by the District Secretary, the District places a notice in the local newspaper stating that the draft SEIR is available for review and noting the location of the document. The same ad includes the notice of a public hearing.
6. A public hearing is conducted to comply with **Section 339.155(6), F.S.**

11-2.1.6 Non-Major State Action (NMSA)

When non-federal funding sources are to be used, or no federal action is needed to develop and construct a transportation project, and the Department has determined that the proposed project is a Non-Major State Action (NMSA), a **Non-Major State Action Checklist** may be completed. A NMSA does not require a public hearing but may necessitate public involvement activities as determined by the District. See **Part 1, Chapter 10, Non-Federal Projects** for more information about NMSAs.

11-2.2 Public Involvement Program (PIP)

A **Public Involvement Program (PIP)** is developed for all transportation projects for which a Type 2 CE, EA, DEIS, or SEIR is prepared. The District will begin the development of a **PIP** immediately following the approval of the Class of Action Determination (**Part 1, Chapter 2, Environmental Class of Action Determination**). The **PIP** developed will depend on the Class of Action determined, as well as the complexity of the project.

Public involvement for a project begins in the ETDM Planning and Programming Phases, when Community Liaison Coordinators and/or Public Involvement Coordinators initiate this process by identifying the affected communities, and starting a dialog with the affected public. Once the project receives Class of Action approval, a **PIP** is developed and carried through project development. As the PD&E Phase continues, periodic updating of the **PIP** may be needed to keep it current with public involvement activities. The plan, its update (if prepared), a schedule of events, and all accumulated information exhibiting compliance with these procedures are incorporated into the project file and summarized in the environmental document.

Information regarding how to identify and reach affected audiences can be found in the Department's ***Public Involvement Handbook, Appendix A: Tools and Techniques; Sociocultural Effects Evaluation Handbook, November 2005; and ETDM Planning and Programming Manual***. All three of these documents can be downloaded from FDOT's CEMO website (see References for link to website).

The purpose of a **PIP** is to develop, implement and document the methods used to reach the affected people in the community and may include the following, depending on the scope of the project:

1. Information regarding the project background;
2. A description of the public involvement goals for the project;
3. A description of the affected public;
4. Public involvement activities that should be implemented; and
5. An evaluation of the public involvement for the project/project area.

A sample **PIP** is included as **Figure 11.5**.

11-2.2.1 Project Background

The first step in developing a **PIP** is to research the project background by answering the following questions:

1. What is the project history?
2. Has the community previously heard of the project? If so, how long ago?
3. Has the project situation (either the proposed improvement or the project environment) changed since the last public involvement activity?
4. Have any commitments (either real or implied) been made or broken?

5. What are the major concerns and issues on the project?
6. Are there any known controversial issues on the project?

11-2.2.2 Project Goals

In order to have an effective **PIP**, it is important to have an understanding of the project goals.

1. What decisions will be made during the current project phase?
2. Is public input needed to help make those decisions?
3. Does project information need to be shared with the public to enable them to provide substantive input on project decisions?
4. What project information needs to be shared?

11-2.2.3 Efficient Transportation Decision Making (ETDM)

Florida's Efficient Transportation Decision Making (ETDM) process was developed to streamline and incorporate the planning process into the PD&E process. Utilizing information collected as part of the ETDM planning and programming screening events can more clearly identify and delineate a project's stakeholders and affected communities.

The ETDM process is followed for projects that qualify for screening through the EST. See **Part 1, Chapter 2, Environmental Class of Action Determination** for a list of qualifying project types. Additional information, including the inclusion of multi-modal projects can be found in the **ETDM Planning and Programming Manual**.

PD&E Project Managers (PMs) can use information from the Environmental Screening Tool (EST) to plan and implement **Public Involvement Programs (PIPs)** and activities. PMs should begin by meeting with the District ETDM Coordinator and Community Liaison Coordinator (CLC) for an understanding of the project's background, issues that were uncovered during the planning and programming screen events, and suggestions on proceeding with development of the **PIP**. The CLC can assist with determining audiences for PD&E outreach activities.

The PD&E PM should review the **Final Programming Screen Summary Report** developed during the ETDM Programming Screen. In addition, the Community Characteristics Inventory will provide community data, such as demographics, census data, income, and current land use. The EST can also be used to generate mailing labels of property owners within the project boundary, as well as provide a list of community desired features and project commitments.

Information about all transportation projects that were reviewed in the EST is available on the ETDM Public Access Site (see link to website in References). The Web site provides Contact Information, General Information, a Project Diary, Project Effects, EST Maps, and a Project Search to locate specific projects. The Project Effects menu provides comments received from the Environmental Technical Advisory Team (ETAT) and data queries identifying natural, cultural and community resources in the project vicinity. The Project Diary menu provides various reports that describe a selected project and its alternatives. The public is not able to send comments through the Environmental Screening Tool. However, contact information is provided and comments can be given to the ETDM coordinator or through traditional public involvement activities.

Reviewing the information from the screening events at the onset and throughout a PD&E Study will provide valuable insight regarding a project's communities and potential issues as well as aid in formulating a list of project stakeholders. Additional information regarding the ETDM process and access to the ETDM Public Access Site is available at FDOT's CEMO website (see References for link to website) and in the ***ETDM Planning and Programming Manual***.

11-2.2.4 Identify Affected Communities

The community which will be affected by the decisions made on a transportation project is defined by geographic boundaries, physical features, and socioeconomic conditions. The key to developing an efficient transportation system, where projects move forward smoothly, starts with the identification of all stakeholders and affected persons in the earliest planning stages and maximizes their participation throughout the life of the project. The identified community, by virtue of behavior patterns of individuals or groups, will provide the most significant and applicable public input.

For Type 1 or Programmatic Categorical Exclusions, a ***Community Awareness Memorandum (CAM)*** is prepared if the District determines that a sensitive community issue exists on or near the proposed improvement. This should reduce the potential for conflict as the project advances through future project phases (design, construction and maintenance). The ***CAM*** is sent to the District Public Information Office (PIO) and all other District offices that will be involved in the development of the improvement or that interact with the community at large. If a memorandum is prepared, it should recommend public involvement activities which are deemed appropriate to meet community concerns and specify the later phases of project development at which they might occur. The format and content of this memorandum are prepared at the District's discretion.

Projects processed through the ETDM EST have undergone a Sociocultural Effects Evaluation (SCE) as part of the screening process prior to the PD&E phase. Information regarding affected communities for these projects may be found under the project name on the ETDM Public Access Site (see References for link to website). Additional information regarding ways to identify affected communities can be found in

the Department's ***Sociocultural Effects Evaluation Handbook*** and in the ***Public Involvement Handbook***.

11-2.2.5 Identify Stakeholders and Audience

Creating a contact network will involve a core group of participants known to have a strong interest in a transportation project. A contact network consists of a database composed of key community members and leaders who can provide information about the community. Names, addresses, telephone and email information for local elected officials, key community leaders, adjacent land owners, business owners, chamber of commerce leaders, neighborhood association presidents, religious leaders, senior citizen center coordinators, day care center administrators, school principals, etc., may be included.

Under **23 USC 135(f)(3)**, Participation by Interested Parties, the following direction is given:

“ . . . In developing the statewide transportation plan, the State shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, providers of freight transportation services, and to interested parties with a reasonable opportunity to comment on the proposed plan.”

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), August 25, 2005 defines “interested parties” as:

1. Citizens (Residents/Tenants),
2. Affected Public Agencies,
3. Representatives of Public Transportation Employees,
4. Freight Shippers,
5. Private Providers of Transportation,
6. Representatives of Users of Public Transportation,
7. Representatives of Users of Pedestrian Walkways and Bicycle Transportation Facilities,
8. Representatives of the Disabled,

9. Providers of Freight Transportation Services, and

10. Other Interested Parties.

Public involvement opportunities should be provided to develop relationships with community leaders within local health clinics, community centers, places of worship, advocacy groups and schools to reach people who may not read or speak English, or who may not read but can identify community issues. Representatives of users of pedestrian walkways, bicycle transportation facilities, and the disabled are specifically added as parties to be provided with the opportunity to participate in the planning process. The use of this network is an efficient method to reach those who monitor the pulse of the community as the plans and project move forward.

11-2.2.6 Outreach Activities

Outreach activities are efforts which offer everyone in a community the opportunity to participate in the PD&E effort. Successful public outreach activities take careful preparation and coordination. To determine the best activity format, ask the following questions:

1. What is the purpose of the activity?
2. With whom do you need to meet to accomplish your purpose?
3. What format will be most appropriate for your purpose and audience?
4. Where is the appropriate meeting location based on the purpose, audience, and format?
5. What type(s) of notification will you use?
6. What materials and distribution methods are the most appropriate?
7. Will it be necessary to use more than one type of material and/or distribution method to reach audiences due to dissimilar cultures?

A variety of public involvement methods are available. The methods should be chosen after the audience is identified and the appropriate messages determined. Nontraditional approaches should be considered to ensure the involvement of all parties, including the traditionally underserved (e.g.: elderly/disabled/handicapped, low-income, minority, Native American, limited English proficiency, limited literacy, etc.). All public involvement activities and facilities must be compliant with the ***Americans with Disabilities Act (ADA) of 1990***.

11-2.3 Public Involvement Documentation

The FHWA requires specific documentation of public involvement activities. Within planning and project development, the final documents for EA, EIS, and CEs require public involvement documentation. The ETDM Planning and Programming Screens require a summary of public comments as part of the summary report at each phase of a project (see the Department's ***ETDM Planning and Programming Manual*** for more information).

Additionally, appropriate and complete documentation of public involvement activities creates a history and record of commitments made as a result of the activities. Access to the documentation allows the public to see that their input was heard and considered. The public comment process includes:

1. Collection;
2. Analysis;
3. Acknowledgement;
4. Distribution and Tracking;
5. Consideration;
6. Response;
7. Sharing; and
8. Documentation.

Proper documentation includes compiling all materials related to public involvement activities and summarizing and analyzing the public comments that result. The following documentation should be included, as a minimum, as part of the public involvement record for transportation projects.

1. The ***Public Involvement Program***.
2. The notification process, including the master contact list(s) for officials, agencies, property owners, and interested persons, as well as details of all methods of notification used to invite the public to activities (letters, newsletters, display ads, press releases, news media, etc.).
3. A summary of all public involvement outreach activities, including the date, time, and location of public involvement activities. Activity summaries should include photographs, mailing lists, sign-in sheets, maps, graphs, display boards and/or exhibits, comment forms, comment summaries, meeting

notifications, evaluation forms, requests, surveys, slide presentations, and meeting minutes, as applicable. The number of people invited and the number of attendees should be documented, as well as specific issues and/or concerns that were expressed as part of each activity.

A verbatim transcript of the public hearing along with written comments received at the public hearing and written comments received within the established comment period following the hearing (a minimum of ten days) are forwarded to the lead federal agency along with the environmental documents at the end of a PD&E Study to be reviewed for Location and Design Concept Acceptance (LDCA).

The Department's ***Public Involvement Handbook, Chapter 9***, provides detailed information on how to document public involvement activities. In addition, ***Part 2, Chapter 31, Comments and Coordination*** provides information on how to document public involvement activities as part of the final documents for Environmental Assessments and Environmental Impact Statements through the development of the ***Comments and Coordination Section*** of the document.

11-2.4 Public Involvement Evaluation

Periodic evaluation of the ***Public Involvement Program (PIP)*** is needed to determine the effectiveness of public involvement activities. The following (or similar) questions should be asked during in-house de-briefings and/or presented to the community in a survey format. The answers will provide information on whether or not new outreach strategies should be developed to improve public involvement for the project.

1. *Is the entire project community represented in the public involvement activities?*
If there are representatives or segments of the project community who are missing from the project activities, it may indicate that the timing and/or location of these activities are inconvenient. Or, it may indicate that the project notices are not reaching the audience.
2. *Is there continuity among participants' attendance?*
If people drop out of the process after one or two activities, it may indicate frustration with the process.
3. *Are the appropriate communications techniques being employed?*
If input is limited, it may indicate that the audience does not understand the project information. Or, it may indicate that they do not believe their comments are important.
4. *Are the comments received from the community relevant to the project? Are they realistic and appropriate to the project phase?*

If the comments are not relevant to the project, it may indicate that people do not understand the project scope or the kind of information/input that is being sought. If people have unrealistic expectations about how they can influence the project, it may indicate that they do not understand the decision-making process or the type of decisions that will be made during the current phase of project development.

5. *Are there significant unresolved issues concerning the project?*

If there is significant opposition to the project, it may indicate that all relevant issues have not been identified and resolved. Continued dialogue with the audience is needed to identify concerns and develop acceptable solutions.

The Department's ***Public Involvement Handbook, Chapter 10***, provides detailed information on how to evaluate public involvement activities.

11-2.5 Citizens Advisory Committee (CAC) / Project Advisory Group (PAG)

A Citizens Advisory Committee (CAC), sometimes called a Project Advisory Group (PAG), is an optional technique to involve local participants through the establishment of a committee or core group for advisory purposes, especially on highly controversial or sensitive projects.

CACs can be formed for either a limited or an extended period of time, depending on the issues at hand. They usually meet regularly and are sometimes assigned the task of reaching out and informing others who may want to participate. CACs can help establish a working relationship with the community and take its pulse as a plan or project moves forward. CACs can serve as key participants in the transportation decision making process to help select criteria or narrow a set of potential alternatives.

A CAC is established early in the project to serve as a special advisory resource to the project team. It is selected with the assistance of local governments, and is usually composed of local persons having an active role in the community as well as representatives from impacted/interested cities, counties, regional agencies, MPOs and committees, and neighborhood associations within the project area. Communities may be based on proximity to the project or based on common characteristics or interests, such as religion, ethnicity, income levels, or concern for the economic viability of a region.

The CAC meets at key milestones during the PD&E study to assist in the evaluation of proposed transportation alternatives and to ensure that these alternatives are developed in the best interest of the local community as well as all roadway users. The involvement of the CAC is especially important during the preliminary engineering and conceptual design phase of a project in order to determine reasonable and feasible transportation improvement alternatives.

It is important to note that the CAC is not a decision-making body and carries no authority. Care must be taken to solicit representatives from all interested groups. It is the District's responsibility to outline the CAC's role so that all members understand their function. The District must keep the group apprised of the project's status, bring them together regularly, and at the conclusion of the project, thank and disband the group. Information regarding the establishment of an advisory group can be obtained through the FHWA's Public Involvement Web site (see References for link to website).

11-2.6 Public Notification and Advertisement

Information regarding the purpose of public meetings or activities should be clearly conveyed to the intended participants and include the date, time, and location. **Chapter 120, F.S.** states that notices for all public meetings, workshops and hearings are required to be published in the **Florida Administrative Weekly (FAW)** and on the **FDOT's Public Notices** website. With the targeted audience in mind, there are many other creative ways to approach meeting notifications.

1. Place a newspaper display ad in the local newspaper(s);
2. Distribute flyers to major employers, apartment complexes, home owners' associations, etc., to post on bulletin boards or include in newsletters;
3. Provide meeting information to places of worship in the area for inclusion in church bulletins and/or newsletters;
4. Provide informational flyers to local schools to be sent home with school children;
5. Post flyers at commonly frequented retail establishments, laundromats, banks, grocery stores, post offices, etc.;
6. Include meeting information on the community calendar in local media;
7. Prepare brochures, newsletters, and postcards for a mailing;
8. Utilize transit vehicles and stations to post advertisements, information, and notices;
9. Post signs along the affected roadway (first check local regulations and ordinances);
10. Hand deliver brochures, newsletters, flyers to business owners/operators, property owners/tenants along the project corridor;
11. Submit public service announcements to radio and television stations; and

12. Create project specific web sites.

Involving all populations in public outreach efforts is an important part of the transportation decision making process. In order to effectively and successfully reach traditionally underserved populations to notify them of public meetings and/or activities, innovative notification efforts may be necessary. Community leaders may help identify the best methods to reach particular populations. Public hearings have specific, minimum notification requirements, per federal and state regulations. Other types of public meetings and/or activities do not have such specific requirements; however, the public hearing requirements may be used as a guideline to determine the level of public notification that will be used for a specific project. See **Section 11-2.9** for public hearing requirements.

For all notification activities, the following nondiscrimination standard statement must be included in the notification:

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact _____ at _____ at least seven days prior to the meeting.

11-2.6.1 Florida Administrative Weekly Ad

Chapter 120, F.S. specifies that notices for all public meetings, workshops and hearings must be published in the **FAW** at least seven (7) calendar days prior to the public meeting. A detailed discussion of how to publish a notice in the **FAW** is provided in **Section 11-2.9.3.1**.

11-2.6.2 Florida Department of Transportation Public Notice Website

To comply with **Chapter 120, F.S.**, notice of all public meetings, workshops, and hearings should also be published on the **FDOT's Public Meeting Notices** website at least 7 days before the meeting. The Web address is provided in **Section 11-3**. A detailed discussion of how to publish a notice on this Web site is provided in **Section 11-2.9.3.2**.

11-2.6.3 Press Release - Public Information Office

Press releases should be coordinated with the District Public Information Office (PIO). Writing a press release can result in positive media coverage by following a few simple rules. **Figure 11.6** is an example of a press release.

1. Submit press releases on FDOT letterhead.

2. Type the press release, single-spaced, in an easy-to-read font.
3. The press release should include a contact name and phone number, listed in a prominent place (most commonly on the right side of the page immediately above the headline).
4. Summarize the press release with a headline that captures the essence of the entire release. Try to incorporate the five “Ws” - who, what, when, where, and why. Also incorporate the five “Ws” in the body of the message: Who is the contact person? What is happening? When is the activity or meeting taking place? Where will the activity be held? Why is the activity taking place?
5. All properly formatted press releases start with a dateline, the city and state from which the information is being released.
6. End the press release with a paragraph providing basic background information regarding the District. This should include information about the organization, what it does, how more information can be obtained, etc.
7. Keep the press release at one page if possible, but if it is necessary to have more than one page, write “more” at the bottom of each page until the end.
8. There are three universally accepted symbols that indicate the end of a press release: “-30-“, ”-End-“, or ”***“.
9. Press releases should be approved by the District Public Information Office (PIO).

11-2.6.4 Newspaper Advertisement

Advertisement of a public meeting should be provided in the local newspaper(s) with general circulation in the vicinity of the project. The content of a newspaper ad should include:

1. The purpose of the public meeting;
2. An outline of the topics to be covered during the meeting;
3. Project description (the use of a project location map is suggested);
4. Date, time, and location of the meeting;
5. Name, telephone number and email address of a contact person for information on the meeting;

6. A contact person and information for accommodation of disabilities under the ***Americans with Disabilities Act (ADA)***. (for information regarding “reasonable accommodation” of disabilities see **Section 11-2.7**, Public Meeting Facilities);
7. An address where written comments can be directed.

While there is no required number of times that a newspaper ad must be published for a public information meeting, it is suggested that it be published a minimum of two (2) times prior to the meeting. Advertising similar to a public hearing, as described in **Section 11-2.9.3.2** is recommended. **Figure 11.7** is an example of an ad for a public information meeting.

11-2.6.5 Internet Web Sites

As discussed above, the District’s Public Information Office (PIO) must submit notices regarding public involvement opportunities to the Department’s Web site (see References for FDOT’s Web site). The public should be encouraged to get involved early in the transportation decision-making process by contacting local Metropolitan Planning Organizations (MPOs) and by visiting the Department’s Web site and the ETDM Public Access Site (see References for link to website) regarding specific projects.

Project-specific Web sites are an excellent tool to reach a broader cross-section of the public; however, it must be kept in mind that not everyone has computer access. Project Web sites may contain information such as announcements, publications, project information, and study updates. Using a Web site as a public involvement tool can also be cost effective. Web site addresses should be included on all printed materials, including letters to property owners, newspaper ads, newsletters, etc.

Web sites should, at a minimum, contain the following information, as applicable:

1. Contact information (project manager’s name, mailing address, phone, fax, and e-mail address);
2. The project schedule;
3. Meeting calendars and agendas (notice of public meetings, workshops, hearings);
4. A brief description of current projects;
5. A public involvement section (brief synopsis of the Public Involvement Plan);
6. Links to related agencies (District, MPOs, etc.);

7. A mechanism to track activity; and
8. A comment/questions/survey form.

In order to track responses, when a comment opportunity is given to the public on a project specific Web site, the commenter's email address and/or mailing address should be requested. This will allow the comment to be recorded in the public record and will provide a mechanism for the project manager to respond appropriately.

11-2.7 Public Meeting Facilities

Public meeting (including public hearing) facilities are selected based on the anticipated size of the facility required, proximity to the project, easy accessibility, community involvement, safety, and public transportation availability. The meeting time must be appropriate for the area. Consider the ages of the anticipated audience, transportation availability, location access, distance, etc., when determining the time of the meeting.

All public meetings/hearings must be held at a site that is compliant with the ***Americans with Disabilities Act (ADA)*** and provide "reasonable accommodation" and access for disabled persons wishing to attend and participate. The Department has interpreted "reasonable accommodation" to mean that a public meeting/hearing site location and facility must be ***ADA*** compatible in design so that reasonable access is provided for disabled persons to attend and actively participate. When notified of a person's disability and request for accommodation at least seven days prior to a public meeting/hearing, the District must make an effort to reasonably provide accommodation so the person can fully participate.

A concern often expressed regarding ***ADA*** is whether or not to provide transportation to public meetings/hearings for disabled persons. It is the Department's policy not to provide transportation for disabled persons or to pay for transportation for disabled persons to attend a public meeting/hearing. This is beyond reasonable accommodation and places the Department at risk regarding liability should something unfortunate occur during the transport of the disabled person.

If the purpose of the meeting is to simply impart information to the public, auditorium style setting may be adequate. If a variety of information is to be communicated for the purpose of receiving feedback, the room must have ample open space to accommodate multiple workstations, display boards, mingling, and some seating. If a large crowd is anticipated, the meeting location should have a room large enough to accommodate two or more identical sets of workstations and/or displays, allowing people to move about freely.

The following questions should be considered when selecting a facility:

1. If a sound system is needed, does the facility provide such equipment?

2. Will the facility allow entry into the space early enough for time to set up?
3. Is there a closing time that restricts breakdown time?
4. Is there plenty of parking?
5. Is the parking lot easily accessible from the meeting room?
6. Is the parking lot well lit for a night meeting?
7. Is there space for signage to direct people to the correct room?
8. Is there a custodian or property manager on duty at the time of the meeting for emergency purposes?
9. Should the local law enforcement office be contacted to request that staff be on hand at the meeting?

The ***Jessica Lunsford Act*** was passed by the Florida Legislature and signed into law by Governor Bush in 2005. To assist Florida's public schools, grades K-12, in complying with the ***Jessica Lunsford Act***, school facilities should not be used for public meetings while students are present. However, in rare circumstances, public K-12 schools may be used when no students are present, as confirmed by an appropriate school principal. In cases where this exception is being considered, approval from the Department's Assistant Secretary of Engineering and Operations is required. Public schools include district public schools, charter schools, and alternative schools. Alternate facilities that may be used include colleges, universities, and private schools.

All potential meeting sites should be physically investigated for suitability as a meeting location. A meeting facility should be approved by the District Project Manager and reserved prior to advertising for a public meeting. **Figure 11.8** is an example of a sample public meeting facility checklist that can be used as a guideline when reviewing potential meeting sites.

11-2.8 Types of Public Meetings

A public meeting is an effective tool to provide and receive information, create an exchange of ideas, consider transportation alternatives, and build consensus. Meetings can be formal or informal and can involve large or small community groups as well as one-on-one discussions. The meeting format should be tailored to fit the purpose and the audience.

1. Determine the purpose of the meeting (corresponding with the project phase)
2. Target an audience that will accomplish the defined purpose.

3. Select the best location for the targeted audience.
4. Choose an appropriate meeting format.
5. Utilize a meeting checklist
6. Document and evaluate the meeting.

The following paragraphs describe various types of public meetings that may be considered.

11-2.8.1 Scoping Meeting for EIS Projects

Scoping is a formal process for projects requiring an EIS. Scoping is required by and described in **40 CFR Section 1501.7 (CEQ Regulations)**. **23 CFR 771** directs scoping to begin early in the project development process. Scoping is usually targeted to affected governmental agencies and public interest groups and organizations with specific knowledge about a project study area. Issues identified in the ETDM Planning and Programming Phases should be used to begin Scoping. By including affected government agencies and interest groups, the District can identify issues of concern and establish information resources and analytical techniques or methods that will aid in problem-solving and efficient project development.

Scoping begins with the Advance Notification (AN) process (**Part 1, Chapter 3, Advance Notification**) and continues throughout the project development process. A formal scoping meeting (which is optional) may be held early in the development process, after the AN process is complete. To determine whether or not a scoping meeting should be held, information from the ETDM screening process and input/comments from the agencies, as well as coordination with the lead federal agency, should be considered. Scoping meetings, like other public meetings, fall under the **Sunshine Law**. Notification to the public must be provided in the **FAW** and on **FDOT's Public Notices** website (see **Sections 11-2.6.1** and **11-2.6.2**), and the public is permitted to attend and listen to the proceedings. The objectives of scoping are listed below. If a scoping meeting is held, these objectives should be discussed at the meeting.

1. Invite the early participation of affected federal, state and local agencies, any affected Indian tribe, and other interested persons (including those who might not be in accord with the action on environmental grounds).
2. Determine the scope and the significance of issues and the degree of analysis required in the Environmental Impact Statement (EIS). This includes identification of the range of alternatives and impacts to be evaluated.

3. Identify and eliminate from detailed study those issues which are not significant or which have been covered by prior environmental studies, thereby narrowing discussion in the EIS to a brief presentation of why they will not have a significant effect on the human environment or providing a reference to their coverage elsewhere.
4. Allocate assignments for preparation of the EIS among lead and cooperating agencies with the lead agency retaining responsibility for the statement.
5. Indicate any public environmental assessments or impact statements which are being prepared and are related to, but are not part of, the scope of the impact statement under consideration.
6. Identify other environmental review and consultation requirements so that the lead and cooperating agencies may prepare other required analyses and studies concurrently with, and integrated with, the EIS. This includes related surveys and studies required by the ***US Fish and Wildlife Coordination Act, the National Historic Preservation Act of 1966, the Endangered Species Act of 1973***, and other environmental review laws and executive orders.
7. Identify whether any permits, licenses, or entitlements are necessary. Determine whether a joint public hearing can be held and outline the coordination required.
8. Determine the relationship between the timing of the preparation of environmental analyses and the agency's tentative planning and decision-making schedule.

A scoping meeting is initiated by an invitational letter sent by the District to relevant government agencies, public interest groups, and others with an interest in or knowledge about the project. The letter is formatted as in ***Figure 11.9*** and as described below.

1. Describe the project in the SUBJECT;
2. Give notice that a scoping meeting is being held and why;
3. Describe what the FHWA or other lead federal agency and/or Department expect as an outcome of the scoping meeting and the roles of the participants;
4. Provide an information package about the project and potential alternatives;
5. Provide a project location map;

6. Provide a meeting agenda;
7. Provide information on the date, time, and site of the scoping meeting along with directions on how to get to the meeting; and
8. Provide the name, telephone number, mailing address, and email address of a contact person.

The format of a scoping meeting entails a formal presentation. While a formal agenda should be followed, the setting and tone of the meeting should be relaxed and conducive to good interaction among attendees. A visual or oral presentation is usually given to fully acquaint all parties with the project.

To provide a first-hand look at the project location a field review may be scheduled. Transportation to the project study area should be provided by the Department. After the field review, participants reconvene and further discuss potential project issues. Before adjourning, each agency is asked to state its position on the identified issues. A list of cooperating agencies should be finalized and a determination made as to whether or not these agencies will contribute to the EIS or participate in its development, based on jurisdiction or expertise. Each agency's position is included in a meeting summary (minutes) for use by the Department.

A copy of the meeting summary should be forwarded to agencies that are interested in participating, but could not attend the scoping meeting. Circulation of the meeting minutes to all attendees and those who did not attend, but were on the invitational mailing list, is essential. The minutes of all events are included in the project files and coordination is carried forth as the project progresses.

The environmental document must provide a good discussion on the scoping process, including all meetings held, coordinating and cooperating agencies, issues raised, and the District's response and commitments. This would be contained in the Comments and Coordination section of the EIS (see **Part 1, Chapters 8, Draft Environmental Impact Statement and 9, Final Environmental Impact**).

11-2.8.2 Kick-off Meeting

At the beginning of the PD&E Process a meeting may be scheduled with local officials to acquaint them with the proposed project and the study team. Items usually covered at the meeting include project justification, project priority in the Adopted Work Program and Annual Program Budget, corridor and alternative design concepts presently under review, potential environmental and/or engineering issues, project schedule, and a request for comments and concerns. This meeting is usually held either during a regularly scheduled meeting of the Metropolitan Planning Organization (MPO), the County and/or City Commission/Council, or at a special meeting scheduled by the District, in which case, elected officials are invited by letter to attend. It is

important to use the correct salutations and titles when addressing elected and appointed officials and agency contacts. See **Figure 11.10** on for a listing of appropriate salutations and titles. See **Figure 11.11** for an example invitational letter.

The format of this meeting is generally informal with a brief presentation, followed by a question and answer period. Statements and suggestions made are documented in the project file. Minutes of this meeting are also prepared and kept in the project files.

In some instances, a formal letter may be issued in lieu of a kick-off meeting. The objective of the letter is fundamentally the same as that of the meeting. Some districts may prefer to combine the local officials' kick-off with a public kick-off meeting. Other districts may have both types of kick-off meetings, depending on the project.

11-2.8.3 Public Information Meetings

Public information meetings (also referred to as public workshops) may include any of the following.

1. A public kick-off meeting may be held in the early stages of a project for the general public, as well as local officials and agencies, when the project has the potential to affect a sensitive community issue on or near the proposed improvement. Early public involvement can help the public understand the transportation plans and foster understanding and cooperation between the District and the public.
2. Public information or public alternatives meetings may be held to fully acquaint the public with the proposed improvement and give interested persons an opportunity to review and comment on the alternative concepts being analyzed. The meeting is held in close proximity to the project to aid in public attendance.
3. Small group meetings may be held with groups of people who may have specific issues or concerns that may not involve the general public in the project area. This may include neighborhood associations, environmental groups or agencies, public interest groups, county or city staff, affected businesses, committees or other concerned people who may be impacted by the proposed transportation improvements.

11-2.8.4 Public Meeting Format

The format for an information meeting is open to the discretion of the District; however, it should be one which facilitates good interaction and communication. The format for public information meetings is generally informal. A brief presentation may be given and/or an open-house format can be used where attendees can review the project maps, alternative concepts and other information, and discuss personal issues or

concerns with District staff and other project team members. Minutes of the meeting are recorded and placed in the project file. Reference material on holding effective meetings is available in the Department's ***Public Involvement Handbook***.

11-2.8.5 Visualization Techniques

To strengthen public participation in the planning and project delivery process, and specifically to aid the public in understanding proposed plans, the ***Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)***, calls for states and MPOs to use visualization techniques. Through visual imagery, the complex character of proposed transportation plans, policies and programs can be portrayed at appropriate scales - state, regional, local area, project architecture, etc., and from different points of view. "The effective presentation of projects' impacts to the public has become an increasingly essential part of the planning and design of the transportation system" (***FHWA Visualization in Planning website***).

Examples of visualization techniques include sketches, drawings, artist renderings, physical models and maps, simulated photos, videos, computer modeled images, interactive GIS systems, GIS based scenario planning tools, photo manipulation and computer simulation. Districts should use various visualization techniques as applicable.

11-2.8.6 Public Comments

The public is the consumer of the transportation services provided by the Department. The primary objective of any public involvement activity is to inform the public and solicit input as it relates to the proposed transportation improvements. The most common ways for the public in general to relate ideas, concerns, and input is through written or verbally submitted comments. All comments and concerns identified at public involvement activities should be analyzed in relationship to the project, its goals, and the overall impact to the community.

The public comments received serve several purposes. Public comments help build an understanding of community issues and needs that should be considered while designing transportation solutions that fit community needs. Comments help provide documentation for public involvement activities. The information gathered from public comments, if correctly assimilated and categorized, will serve as an excellent record for future project phases. The amount and types of comments received will help evaluate the success of the individual public involvement activities as well as the overall Public Involvement Plan. See the Department's ***Public Involvement Handbook*** for more detailed information on documenting public involvement activities.

11-2.9 Public Hearings

The primary differences between a public meeting and a public hearing are that a public hearing has specific timeframes associated with advertising, hearing notice, and

when written comments must be received. A public hearing must also meet formal requirements for the way it is conducted. Public meetings are often scheduled at intervals throughout the decision-making process, allowing early public input. Public hearings are usually at the end of the process and are held to satisfy regulatory requirements. A public hearing should not be the only opportunity to involve the public, but become part of an overall **Public Involvement Program**. See the Public Hearing Planning Checklist, **Figure 11.12**.

Public hearings are required by **Florida Law, Chapter 339.155, F.S.** as follows:

“During development of major transportation improvements, such as those increasing the capacity of a facility through the addition of new lanes or providing new access to a limited or controlled access facility or construction of a facility in a new location, the department shall hold one or more hearings

- prior to the selection of the facility to be provided;
- prior to the selection of the site or corridor of the proposed facility; and
- prior to the selection of and commitment to a specific design proposal for the proposed facility.

Such public hearings shall be conducted so as to provide an opportunity for effective participation by interested persons in the process of transportation planning and site and route selection and in the specific location and design of transportation facilities. The various factors involved in the decision or decisions and any alternative proposals shall be clearly presented so that the persons attending the hearing may present their views relating to the decision or decisions which will be made.”

Public hearings are required on all projects requiring the preparation of an:

1. Environmental Assessment (EA), or
2. Environmental Impact Statement (EIS).

Public hearings are required for the following projects if they meet the definition of a “major” transportation project in **Chapter 339.155, F.S.**:

1. Type 2 Categorical Exclusions (Type 2 CEs) , or
2. State Environmental Impact Reports (SEIRs).

Public hearings are generally held prior to a decision making point such as work program development or administration, and FHWA Location and Design Concept

Acceptance (LDCA). Public hearings are held to provide the public with an opportunity to express their views on the project, its potential for impact, and other related matters.

A public hearing is the official public forum used by the Department through which the general public and government officials express their concerns, opinions, and comments regarding a project. The public hearing is the official point in the project development process where the information that has been developed to date is shared with the public and the public can make oral or written statements regarding the project that officially go on record. District representatives are present before the hearing proceedings to answer questions and remain on the premises as long as necessary after the proceedings to discuss public concerns.

11-2.9.1 Public Hearing or the Opportunity to Hold One for Type 2 CEs

For a Type 2 CE the District should establish a ***Public Involvement Program*** to include community input into the decision making process. It should also determine if a public hearing is required under ***Section 339.155(6) F.S.***, or if an opportunity to hold a public hearing should be offered. In addition, the criteria for a hearing or the opportunity to hold one pursuant to ***23 CFR 771*** must also serve as the determining factor as to whether or not a hearing is required. The District should consult with FHWA or other lead federal agency on each project to determine whether a public hearing or opportunity is required. See ***Section 11-2.9.7*** for more information about public hearing opportunities.

11-2.9.2 Public Hearing Dates, Times, and Locations

All public hearings are to be held on a day or evening during the work week, Monday through Thursday, to facilitate maximum opportunity for the public to participate in the project development process. Consider the ages of the anticipated audience, transportation availability, location access, distance, etc., when determining the time of the hearing.

11-2.9.3 Public Hearing Advertisement and Notification

The procedures given for public hearing notification must be followed to insure compliance with ***Chapter 339, F.S.; Chapter 120 F.S.; 23 CFR 771, and 23 USC 128.***

11-2.9.3.1 Florida Administrative Weekly Ad

To comply with ***Chapter 120, F.S.***, a public notice must be placed in the ***Florida Administrative Weekly (FAW)*** whenever a public hearing, meeting or workshop is to be held. ***Chapter 120, F.S.*** specifies that public meeting notices must be published in the ***FAW*** at least seven (7) calendar days prior to the public hearing. The Districts should submit their notices directly to the ***FAW***. All notices to be published in the ***FAW*** must be submitted electronically through the Department of State's e-rulemaking website. The website address can be found in ***Section 11-3***. Each District should have

one or more agency administrator(s) to manage the agency's submissions on the e-rulemaking website.

The **FAW** is published each Friday of the year except those Fridays which are observed as official state holidays designated by **Section 110.117, F.S.** All materials to be published must be received by the Bureau of Administrative Code by 12:00 noon on **Wednesday**, the week prior to publication. When Wednesday, Thursday, or Friday is observed as a holiday, as designated by **Section 110.117 F.S.**, publication will be on the last working day of the week in which the holiday is observed, and all materials to be published in the **FAW** must be received by 12:00 noon **Monday**, the week prior to publication (see **1B-30.003, FAC**) (See **Figure 11.14** for an example of a **FAW** ad.) When typing numbers, do not use the lower-case "L" for the number one.

11-2.9.3.2 Florida Department of Transportation Web Site

To comply with **Chapter 120, F.S.**, notice of the public hearing should also be placed on the **FDOT's Public Meeting Notices** website at least 7 days in advance. The Web site address is provided in **Section 11-3**.

Public meeting notices can be added to the **FDOT's Public Meeting Notices** Web site by District staff through the FDOT INFONET. The Web site address for the FDOT INFONET is provided in Section 11-3. Below are the steps required to add public meeting information through the FDOT INFONET website.

1. Under the "Forms and Rules" category, select "Add a Public Announcement."
2. Complete the requested information regarding the public meeting. This information includes the meeting title, District number, meeting type, meeting date and time, location name and address, brief description of the meeting topic, project website, and contact names and contact information.
3. After filling out all the information about the meeting, it will then be approved by the District Public Involvement Office for posting on the FDOT Website.

11-2.9.3.3 Public Hearing Newspaper Display Ads

The ad content and format of a public hearing must be followed to insure compliance with **Chapter 339, F.S.; 23 CFR 771; 23 USC 128; and Chapter 120, F.S.** A display ad is used to provide public notification. The newspaper(s) selected should have a general daily circulation within the project area. In accordance with **Chapter 339.155, F.S.**, the Department must publish the public hearing advertisement a minimum of two times. The first notice should appear **at least 15 days but no more than 30 days prior to the hearing**. The second ad should run 7-12 days prior to the hearing.

The content of display advertisements should be written in plain English (see plain language initiative under **Section 11-1.2.4**, Compliance with Federal, State, and

Local Requirements) and must include a minimum of the following (see **Figure 11.15** for a sample public hearing newspaper display ad).

1. The reason for the public hearing;
2. An explanation of the format of the public hearing;
3. The project description (the use of a project location map is suggested);
4. The date, time, and location of the hearing;
5. Provide a list of places, dates, and times where the environmental document(s) and other materials are available for public inspection per citation of **23 C.F.R, 771**;
6. Reference to **Federal Executive Orders 11990 and 11988** concerning wetland and floodplain/floodway involvement on the project;
7. The following statement: *Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.*
8. The following statement: *Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact _____ at _____ at least seven days prior to the meeting.*
9. An address where written comments are to be sent.

11-2.9.3.4 Notification to Officials and Agencies

Before holding a public hearing, a letter of invitation is sent to the lead federal agency and to the local governments and agencies at the time of the newspaper ad publication **no more than 30 calendar days prior** (see **339.155 F.S.**) **but no less than 25 calendar days prior to the public hearing date**. See **Figure 11.16** for a sample letter of invitation to officials and agencies which, at a minimum, should include the following, either in the body of the letter or in an attachment:

1. The purpose of the notification;
2. A description of the project;
3. A list of the places, dates, and times where the environmental document(s) and other materials will be available for public inspection;
4. The date, time, and location of the public hearing;

5. A statement requesting public participation;
6. Information about **ADA** requests (see #7 under **Section 2.9.3.2**);
7. Notice of non-discrimination (see #9 under **Section 2.9.3.2**); and
8. Hearing notice and map.

It is important to use the correct salutations and titles when addressing elected and appointed officials and agency contacts. See **Figure 11.10** for a listing of appropriate salutations and titles.

11-2.9.3.5 Notification to Property Owners

In accordance with **Section 339.155(6), F.S.**, all real property owners, in whole or in part, within at least 300 feet of the centerline of each proposed project alternative must be notified of the upcoming hearing. The name and addresses of property owners are obtained from the county property tax appraiser's office or their Web site. Notification must be received by property owners **at least 21 calendar days prior to the date of the hearing**. They are notified through the use of invitational letters sent by mail. **Figure 11.17** is an example of an invitational letter to property owners which, at a minimum, should include the following, either in the body of the letter or in an attachment:

1. The purpose of the notification;
2. A description of the project;
3. A list of the places, dates, and times where the environmental document(s) and other materials will be available for public inspection;
4. The date, time, and location of the public hearing;
5. A statement requesting public participation;
6. Information about **ADA** requests (see #7 under **Section 2.9.3.2**);
7. Notice of non-discrimination (see #9 under **Section 2.9.3.2**); and
8. Hearing notice and map.

Efforts should also be made to notify and inform tenants and lease holders within at least 300 feet of the centerline of each proposed project alternative. Refer to the FDOT's **Public Involvement Handbook, Chapter 4**, for suggestions on how to involve those who live and work within the project corridor but may not be property owners.

11-2.9.4 Documents for Public Review

The draft environmental documents for an EA, DEIS, SEIR, and Type 2 CE must be available for public review at **least 21 calendar days prior to the hearing date**. Locations where the documents are displayed should be in close proximity to the project, easily accessed, and with public transportation availability, if possible. All locations must be compliant with the ***Americans with Disabilities Act (ADA)*** and provide reasonable accommodation and access to physically handicapped and disabled persons wishing to review the documents. Suggested locations may include public libraries, local Metropolitan Planning Offices, local agency offices, and District offices.

In accordance with **23 CFR 771.125**, the District places a ***Notice of Availability*** of the approved FEIS in local newspaper(s) initiating the 30-day review period and identifying where the document is available for public review. After approval, the FEIS should be available for public review at the District's office and at the lead Federal agency's office. Copies should also be available for public review at institutions in the project vicinity such as local government offices, libraries, or schools, as appropriate. **Figure 11.22** provides a sample of the ***Notice of Availability*** of the FEIS.

11-2.9.5 Public Hearing Format(s)

There are three (3) public hearing formats that may be used.

1. Formal - for large or complex projects.
2. Informal - for less controversial projects.
3. Blended - begins with an informational meeting and then follows the formal format.

It must be determined which format would best meet the public communication and information sharing needs for a specific project. Which would be best for the project goals? Which would encourage the most participation? Regardless of the format, the primary objective is to provide the maximum opportunity for the public to participate in the decision making process by expressing their views and concerns at the hearing.

Innovation in expanding from the basic public hearing format and proceedings is encouraged as long as the result is enhanced communication between the Department and the public.

11-2.9.5.1 Formal Format

Formal public hearings are traditionally held in the evenings, in auditorium style rooms. Typically, the most suitable rooms have an elevated stage and podium. A District representative is generally the moderator. Adequate District personnel and

technical staff should be present to assist the moderator in answering questions and responding to comments. A presentation is given, most commonly through an electronic slide presentation or video. The presentation should include at a minimum and as applicable:

1. An introduction and hearing purpose;
2. The purpose and need for the project;
3. The project scope and location;
4. The project history;
5. The laws and regulations under which the hearing is being held (**23 USC 128, 40 CFR 1500-15-8, and F.S. 339.155**);
6. A description of the formal hearing process and how attendees are encouraged to comment on the project: orally (personally) to the court reporter, orally (by microphone) during the comments portion of the hearing, by written statement at the hearing, or by written statement for a minimum of ten (10) days after the hearing date;
7. Reference to the published hearing notice;
8. A reminder of the due date for written statements;
9. A statement that a verbatim transcript is being recorded;
10. Reference to handouts available;
11. A brief discussion of the project alternatives;
12. Reference to any additional information that may be available, if any;
13. The advantages and disadvantages of the project alternatives;
14. The major design features and estimated cost of each alternative;
15. Any potential social, environmental, air quality, noise, floodplain, wetland, archaeological/historic, or endangered/threatened species impacts; right-of-way acquisitions or needs; access management issues; or residential or business relocations;
16. Any other pertinent information;

17. Information about the Department's Right of Way (ROW) Acquisition and Relocation Assistance programs, if ROW acquisition and/or relocations are anticipated;
18. Reference any relocation handouts available and note that there is a Relocation Agent in attendance; and
19. Show compliance with non-discrimination statutes.
20. Project handouts or brochures are required for all formal hearings. Handouts are used to convey the same material that is usually found in a formal presentation. Handouts may include:
 - a. A project location map,
 - b. Federal, and Financial Project numbers,
 - c. A description of the project and its logical termini,
 - d. The purpose of the public hearing,
 - e. A citation of laws and regulations requiring a public hearing,
 - f. A brief history of the project,
 - g. An explanation of the information hearing process,
 - h. An explanation of how the public can comment on the project,
 - i. A statement of the date when the final written comments are due,
 - j. The date, time, and place of the hearing,
 - k. A discussion of the Federal-State Partnership,
 - l. Information regarding the project development process, and
 - m. A summary of the project: justification/need; alternatives considered; typical sections, potential environmental impacts, potential right-of-way relocation, **Title VI and VIII** programs, the role of a public hearing, and the project status and schedule.

Prior to the presentation and during breaks, such as the intermission or after the presentation, District and consultant staff are available for questions. Participants may submit prepared written materials prior to the public hearing to be included in the formal record. All presentation materials become part of the official record. The official record

remains open for a minimum of ten (10) calendar days following the public hearing. Any materials received prior to the close of the official record will be included.

All attendees are invited to sign in at a registration table upon entering the room. Their names and addresses are taken down as part of the public record. Attendees wishing to speak are registered at the beginning of the hearing or during an intermission after the formal presentation, and are given speaker cards (see **Figure 11.18** for an example of a speaker card). This gives the moderator an idea of how many people wish to speak. Attendees who have not previously registered and completed a speaker card are given an opportunity to speak after all of those who registered have been heard. Attendees speak into a central microphone and address the District directly with comments and questions following the presentation. Time restrictions are at the discretion of the moderator and are typically only employed to allow each participant to speak. A court reporter is present and a verbatim transcript is made following the proceedings.

The room layout includes a registration or sign-in table. Tables containing handouts, project documents and materials, and graphic display boards are arranged around the edge of the room or near the entrance. Tables or areas for special interests or concerns (such as right-of-way acquisition, noise, access management, etc.) may be set up at specific locations depending upon the type of project issues and/or potential impacts involved. Information on the PD&E process must also be available.

11-2.9.5.2 Informal Format

The informal public hearing format is generally used for non-controversial projects. A hearing coordinator or moderator welcomes the attendees, makes informational announcements, and moves the hearing forward in an organized manner. The hearing coordinator keeps the process flowing by directing attendees to materials, project displays and handouts. Informal hearings typically begin in the late afternoon and last into the evening.

For an informal format, the hearing generally includes the following elements:

1. All staff attending the hearing should be knowledgeable about the project. Generally, approximately one week prior to the hearing, a briefing or hearing rehearsal takes place at the District office to fully acquaint staff members with the project and the hearing process. The rehearsal must include a thorough discussion of the room arrangement, the content of the presentation, all brochures and handouts, and the type and format of project and general information to be displayed at the public hearing.
2. A hearing requires the use of a large room with ample space for mingling (see **Section 11-2.7** for public hearing facility requirements). District and consultant personnel, and technical staff may be assigned to specific

stations (tables) or intermingle with attendees to answer attendee's questions and address project concerns.

3. The moderator (hearing coordinator) is generally a Department representative whose principle concern is to coordinate the hearing and ensure that everything runs smoothly. The moderator may choose to make a brief presentation at the outset of the hearing to welcome attendees and explain how the informal hearing process works.
4. Tables are used for a number of purposes such as registration, display of project material, study and comment areas, and special areas of concern (e.g., right-of-way acquisition/relocation, noise, access management, etc.). Tables should be staffed by appropriate District and or consultant technical staff. Right-of-way personnel should be present to answer questions regarding the Department's Right-of-Way Acquisition and Relocation Programs if ROW acquisitions and/or relocations are anticipated. The Title VI Coordinator should also be available to address questions on ***Title VI Compliance*** under the ***Civil Rights Act of 1964*** and related statutes.

A specific "script" is used to explain the right-of-way acquisition process to the public and describe some of the compensation requirements at public hearings. A copy of the script can be found in ***Section 11-2.9.9.1***.

5. Wall displays are used to show base/aerial maps, project alternatives, comparative evaluation matrices, schedules, charts, renderings, and other project-related information. If a presentation is not made, then extensive use of wall displays should be provided to convey pertinent project information.
6. Informational posters may be used to provide information to the attendees to help them better participate in the hearing or provide instructions regarding how to comment on the project.
7. Project handouts or brochures are required for all informal hearings. Handouts are used to convey the same material that is usually found in a formal presentation. Handouts may include:
 - a. A project location map,
 - b. Federal, and Financial Project numbers,
 - c. A description of the project and its logical termini,
 - d. The purpose of the public hearing,
 - e. A citation of laws and regulations requiring a public hearing,

- f. A brief history of the project,
- g. An explanation of the information hearing process,
- h. An explanation of how the public can comment on the project,
- i. A statement of the date when the final written comments are due,
- j. The date, time, and place of the hearing,
- k. A discussion of the Federal-State Partnership,
- l. Information regarding the project development process, and
- m. A summary of the project: justification/need; alternatives considered; typical sections, potential environmental impacts, potential right-of-way relocation, **Title VI and VIII** programs, the role of a public hearing, and the project status and schedule.

A “**Letter of Welcome**” may be attached to the project brochure/handout or be made part of it. This letter should be signed by the District Secretary or designee, welcoming attendees to the public hearing and expressing the District’s thanks to each person for taking the time to come and be part of the Department’s decision making process. It should also provide assurance that all comments will be considered prior to the District making a final project decision.

- 8. Staff members will be assigned as greeters to welcome attendees and explain the hearing process to them. All attendees must register upon entering the hearing room. Greeters will also orient each attendee to the layout of the room and provide them with handout material, comment forms, and speaker cards; and explain how verbal and written comments may become part of the official public record. Those wishing to speak during the public testimony portion of the hearing are asked to provide their name and address on a speaker card. The speaker card is then given to a staff member and attendees will be invited to speak in the order which their speaker cards are received.
- 9. The record of hearing, or transcript, is accomplished by using one or more court reporters engaged to attend the hearing; or the District may choose to tape record the proceedings and transcribe the tape at a later date. In either case, a verbatim transcript is made to document the proceedings. Attendees may speak directly to the court reporter to express views concerning the project or fill out a speaker card and speak into a microphone during the public testimony portion of the hearing. Written

comment forms are also provided for those not wishing to make a verbal statement. Written comment forms are generally deposited in a comment box available at the hearing or may be mailed, postmarked no more than ten (10) days following the date of the hearing, to be included as part of the public record.

10. An oral presentation, slide-tape presentation or video may be used on a periodic basis (such as hourly) to inform the attendees about the project and reiterate how to comment on the project. Handouts or project brochures are used to supplement the oral and audio/video information and graphic displays. The content of the hearing presentation generally must include the following:
 - a. Introduction: This section must outline the purpose of the hearing; the purpose and need for the improvements; the project's consistency with local and regional plans; the scope of the project and its location; a brief project history; a citation of laws and regulations under which the hearing is being conducted (**23 USC 128, 40 CFR 1500-1508, and F.S. 339.155**); a reference to the published public hearing notice; information regarding where the project documents are on display for public review and how long they will be on display; a description of the informal hearing process and how the public can comment on the project (orally to the court reporter, orally during the public testimony period, by written statement during the hearing, by written statement mailed a minimum of ten (10) calendar days following the hearing date); a reminder of the due date for written comments; the fact that a verbatim transcript is being made of the proceedings; and reference to the project handouts and, if applicable, the Department's ROW acquisition and relocation brochures.
 - b. Discussion of Alternatives: All alternatives studied must be briefly discussed; with additional information provided on the recommended alternatives that have been studied in further detail and documented in the Environmental Document. The advantages and disadvantages of each alternative must be provided, including major design features and estimated costs.
 - c. Impacts: The potential social, economic, and environmental impacts of the project must be briefly outlined. Key factors to be discussed include air quality (**40 CFR, Part 51**), noise, floodplain impacts (**Executive Order 11988**), wetlands (**Executive Order 11990**), endangered and threatened species, archaeological or historical resources (**36 CFR, Part 800, Section 106**), residential and business displacements or relocations, right-of-way requirements, access management (**Section 335.18, F.S.**), and any other pertinent issues.

- d. Right-of-Way Acquisition and Relocation Assistance Programs: A discussion must be provided, if applicable, outlining the Department's right-of-way acquisition and relocation assistance programs and referring attendees to a relocation agent in attendance at the hearing and the relocation handouts which are available. The discussion must show compliance with ***Title VIII of the Civil Rights Act of 1968***, as amended. See **Section 11-2.9.9.1** for the ROW script.
 - e. Title VI of the ***Civil Rights Act of 1964*** and Related Statutes: A brief discussion of compliance with ***Title VI of the Civil Rights Act of 1964*** and Related Statutes must be provided.
11. For those participants interested in formally addressing the Department and other attendees, an opportunity to speak into a microphone is provided, similar to a formal public hearing setting, for comment purposes. The length of time for the public comment period is at the District's discretion.

Complete documentation of all activities must be made in the project file and in the public hearing transcript.

11-2.9.5.3 Blended Format

An alternative to the formal or informal public hearing is the blended public hearing. For projects which may be highly controversial, some combination of the formal and informal styles of public hearings may be used. This type of hearing may begin as an informal information meeting to fully familiarize the public with the project, and then turn into a public hearing following the formal format as described in **Section 11-2.9.5.1**, Formal Format.

11-2.9.5.4 Joint Public Hearings

Joint public hearings can be held with other agencies to facilitate project development and permitting. Joint public hearings are appropriate if the project meets the public hearing criteria of both agencies. If an agency agrees to hold a public hearing jointly with the Department, the District should seek to establish in writing the guidelines by which the public hearing is to be held. Preparation of acceptable joint procedures ensures that the requirements of both agencies will be satisfied. This includes the format of the hearing, presentations, and all elements of the public hearing process. If the Newspaper Advertisement notification period of the agency is different from the Department's, then the longer period for hearing notification should be used. The District, however, should still maintain a minimum of two (2) separate advertisements.

11-2.9.6 Public Hearing Documentation

The hearing proceedings are recorded by a court reporter and transcribed into a written transcript. Oral and written comments are a formal part of the public record. The transcript of all hearing proceedings includes the Department's presentation (if applicable), all public comment/testimony received, and all handouts and informational brochures used. Display materials should be retained in the project file as part of the hearing record and be provided to the Federal Highway Administration (FHWA) if so requested.

Whenever a public hearing is held, the public record remains open for inclusion of additional written public comment **a minimum of ten (10) calendar days after the date of the hearing** to allow for additional written input from attendees or others who were not able to attend the hearing. All written comments received during that period become part of the public record and are included in the hearing transcript. After the comment period, the public hearing is officially closed and the transcript is certified by the public hearing officer as shown in **Figure 11.19**. One copy of the official transcript is sent to the lead federal agency as part of the final environmental document.

11-2.9.7 Notification for Opportunity to Request a Public Hearing

If a public hearing is not required, the District may elect to offer the public an opportunity to request a public hearing for a Type 2 CE. A public hearing may be held if it is determined that there is substantial public interest to warrant a hearing. The District should consult with the lead federal agency on each project to determine if a public hearing or opportunity should be conducted. The types of public involvement required on various federal and state projects are shown in **Section 11-2.1**.

A notice of an opportunity to request a public hearing is published in a local newspaper having general daily circulation in the project area. The newspaper ad is published twice. **One ad should be published at least 15 calendar days prior to the deadline** established by the District for receipt of requests. **The deadline should be at a minimum 15 calendar days from the date of the first notification of opportunity.** After the notification period has lapsed, the District requests an **Affidavit of Certification** from the newspaper that a publication was made (see **Figure 11.20**) and forwards the affidavit to the lead federal agency. This affidavit must accompany the Type 2 CE when applicable.

A notice of opportunity to request a public hearing must also be placed in the **Florida Administrative Weekly** (see **Section 11-2.9.3.1**). A sample of an opportunity notice is shown in **Figure 11.21**.

The content of the notice of opportunity for the **Florida Administrative Weekly** must include, as a minimum, the following information.

1. An explanation of the opportunity notice;

2. A project description;
3. A statement on the type of studies accomplished and a list of places where study documents are available for public inspection;
4. An explanation of how the request for a public hearing is to be in writing, and the date by which the request must be received;
5. The name of the District contact person; and
6. The address where the request for a public hearing is to be sent.

If a request to hold a public hearing is received prior to the established deadline, then all notification and hearing procedures described in **Section 11-2.9** must be followed. If only one or two persons request a hearing, a meeting should be held with those people to discuss their concerns. If it is still requested after that meeting, then a public hearing must be held.

11-2.9.8 Standard Public Hearing Information

The following information shown in *italic* and modified as applicable must be contained in the public hearing presentation for both formal and informal public hearings, either as a specific citation or as a content item tailored to the specific topic within the script and/or supplemental handout.

11-2.9.8.1 Public Hearing Script

*This public hearing is being held in accordance with the **Federal-aid Highway Act of 1968**, as amended, **23 USC 128**, **40 CFR 1500-1508**, **23 CFR 771**; **Section 339.155, Florida Statute**; and **Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands of the Constitution of the United States of America**. This public hearing was advertised consistent with federal and state requirements and is being conducted consistent with the **Americans with Disabilities Act of 1990**.*

The purpose of the public hearing is to share information with the general public about the proposed improvement, its conceptual design, all alternatives under study and potential beneficial and adverse social, economic and environmental impacts upon the community. The public hearing also serves as an official forum providing an opportunity to the public to express their opinions and concerns regarding the location, conceptual design, and potential social, economic and environmental effects of the proposed improvement on the community. (Describe the public hearing process that will be practiced and mention that a verbatim transcript is being made of all oral proceedings and that all written and oral material will be part of the public record for the project.)

11-2.9.8.2 Statement on Federal-State Partnership

Through a series of Congressional acts, the Federal-aid Highway Program was conceived and developed as a joint federal-state partnership. The cause of this partnership is evident in the thousands of miles of excellent highways and bridges comprising the nation's transportation network. The FDOT, in consultation with FHWA, and in accordance with state law, makes final decisions for the location, design, construction and maintenance of Florida's highways.

The FHWA, in accordance with federal law, cooperates with the State of Florida in planning and developing federal-aid transportation improvements. The FHWA reviews and approves all federal-aid actions proposed by the FDOT. When present at a public hearing, the FHWA representatives serve as observers and technical advisors regarding federal requirements and procedures.

This public hearing is being held relative to State Project Number _____ and Federal-aid Project Number _____. The proposed improvement involves _____ (describe the project action including the location) _____.

(Describe all alternatives evaluated equally including the advantages and disadvantages of each. Information may be included in a comparative evaluation matrix.)

(Discuss the environmental impacts of all alternatives evaluated, specifically mentioning those that are listed in **Part 1, Chapter 6, Environmental Assessment and Part 1, Chapter 8, Draft Environmental Impact Statement.**)

11-2.9.8.3 Clean Air Criteria

For Attainment Areas, this text should be stated: *This project meets the maximum air quality standards established by the U.S. Environmental Protection Agency (EPA).*

For Non-Attainment Areas, this text should be stated: *An air quality assessment was conducted and this project meets the standards established by the U.S. Environmental Protection Agency (EPA).*

11-2.9.8.4 Nondiscrimination Compliance

This hearing is being held to give all interested persons the right to understand the project and comment on their concerns to the Department. Public participation at this hearing is encouraged and solicited without regard to race, color, religion, sex, age, national origin, disability or family status. This information is also provided in the project brochure and on a sign displayed at this hearing.

11-2.9.8.5 Public Comments during a Public Hearing

At the conclusion of the oral or video presentation, attendees who completed a speaker's card upon registering at the door will be given an opportunity to speak into a microphone. Project staff will also distribute speaker's cards to additional attendees who wish to make a verbal statement.

Anyone desiring to make a statement or present written views and/or exhibits regarding the location, conceptual design, social, economic and environmental effects of the improvements will now have an opportunity to do so. If you are holding speaker's cards, please give them to District staff members. If you have not received a speaker's card and wish to speak, please raise your hand so you can receive a card to fill out.

Written statements and exhibits may be presented in lieu of or in addition to oral statements. All written material received at this public hearing and at the Florida Department of Transportation District office located at _____ (street address) _____, postmarked no later than ten (10) days following the date of this public hearing will become a part of the public record for this hearing. All written comments should be addressed to _____ (contact person's name) _____. Comments may also be emailed to _____ (e-mail address) _____.

We will now call upon those who have turned in speaker's cards. When you come forward, please state your name and address. If you represent an organization, municipality or other public body, please provide that information as well. We ask that you limit your input to xx minutes. If you have additional comments, you may continue after other people have had an opportunity to comment (optional). Please come to the microphone so the court reporter will be able to get a complete record of your comments.

11-2.9.8.6 Public Hearing Conclusion

Does anyone else desire to speak? If you have completed a speaker's card, please repeat your name and address. If not, state your name and address and complete a speaker's card after you've given your statement for the public record.

The verbatim transcript of the hearing's oral proceedings, together with all written material received as part of the hearing record and all studies, displays and informational material provided at the hearing will be made a part of the project decision-making process and will be available at the District Office for public review upon request.

Thank you for attending this public hearing and for providing your input into this project. It is now _____ (state the time) _____. I hereby officially close the public hearing for _____ (project name) _____. Thank you again and have a good evening.

11-2.9.9 Specific Public Hearing Concerns

Specific projects may include particular concerns that should be addressed during the public hearing. These concerns may include right-of-way acquisition and relocation, noise abatement and outdoor advertising, and access management. The following paragraphs describe ways these concerns should be addressed when applicable to the project.

11-2.9.9.1 Right of Way Program

Property owners and tenants are given certain rights under Federal law. During a public hearing, the following information must be provided to explain the right-of-way acquisition process to the public and describe some of the compensation requirements during public hearings. If no acquisition or relocation will take place, the script will not need to be used.

Public Hearing Right-of-Way Information Script

“One of the unavoidable consequences on a project such as this is the necessary relocation of families or businesses. On this project, we anticipate the relocation of ___ FAMILIES and ___ BUSINESSES.

*If you are required to make any type of move as a result of a Department of Transportation project, you can expect to be treated in a fair and helpful manner and in compliance with the **Uniform Relocation Assistance Act**.*

You will be contacted by an appraiser who will inspect your property. We encourage you to be present during the inspection and provide information about the value of your property.

You may also be eligible for relocation advisory services and payment benefits. If you are being moved and you are unsatisfied with the Department's determination of your eligibility for payment or the amount of that payment, you may appeal that determination.

You will be promptly furnished necessary forms and notified of the procedures to be followed in making that appeal.

A special word of caution – if you move before you receive notification of the relocation benefits that you might be entitled to, your benefits may be jeopardized.

The relocation specialists who are supervising this program are (NAME) and (NAME). They will be happy to answer your questions and will also furnish you with copies of relocation assistance brochures.

(NAME) and (NAME), if you would please stand (pause) so that anyone who is involved in relocation on this project will know that they need to see you regarding their property.”

11-2.9.9.2 Noise Abatement and Outdoor Advertising

The identification and design of noise abatement measures during the project design phase could require additional public involvement efforts and will be especially important in the establishment of noise barrier design features such as barrier texture. Public coordination is often necessary to finalize barrier locations, heights, and aesthetic features, especially if there are substantial changes to prior commitments. These changes may be the result of the considerations noted in **Part 2, Chapter 17, Noise**. Coordination with the District Noise Specialist in obtaining additional input during the final design of the noise barrier is suggested.

When a barrier is warranted, a written survey must be conducted to establish whether a majority of the impacted receivers are in favor of the construction of the barrier (see **Plans Preparation Manual, Volume 1, Section 32.4**).

Section 479.25, F.S. (as amended by **HB 273** “Outdoor Advertising”) allows permitted, conforming, lawfully erected outdoor advertising signs to be increased in height if visibility is blocked due to construction of “noise attenuation” barriers. In addition, the amended statute requires the Department to notify a local government or local jurisdiction before erecting a noise barrier that will block a lawfully permitted sign.

The amended statute also requires that the Department hold a public hearing within the boundaries of the affected local government or local jurisdiction to receive input on proposed noise barriers that may conflict with the local ordinances or land development regulations. The public hearing allows suggestions, consideration of alternatives, and modification to the proposed noise barriers to be heard in order to alleviate or minimize conflict with the local ordinances or land development regulations and minimize any costs associated with relocating, reconstructing, or paying for the affected outdoor advertising sign (see **Florida Department of Transportation Plans Preparation Manual, Volume 1, Section 32.4**).

11-2.9.9.3 Access Management

Access Management is the process used to plan the location, design, and operation of driveways, median opening, interchanges, and street connections. Median decisions can be particularly controversial. Sound public involvement strategies can facilitate open communication with affected parties. In 1995, the Department adopted **Deviations from Median Opening Standards: A Procedure for Engineering Decisions**, which calls for initiating public involvement on median design during PD&E and carrying this through production. For additional information, see the **Public Involvement Handbook for Median Projects** available on a CD by calling the Department’s Systems Planning Office at (850) 414-4912.

11-2.9.9.4 Toll Rate Workshops and Hearings

Toll-rate rulemaking process is conducted in accordance with **Chapter 120, F.S.** The Florida Turnpike Enterprise conducts the rulemaking process for both the Turnpike System and department facilities. Toll-rate rulemaking hearings are required when a new tolled expansion project is opened, or when a toll rule is changed on, or new tolled access is added to, an existing facility. The rulemaking workshop for expansion projects is generally conducted as part of the PD&E phase. The toll-rate rulemaking hearing for a tolled expansion project is conducted following the 60 percent design phase of project development.

The toll-rate rulemaking process for existing facilities is typically conducted in conjunction with the PD&E phase and should be coordinated with the PD&E project manager.

11-2.9.10 Public Review Opportunities after the Public Hearing

For a minimum period of ten (10) days following the public hearing, the general public is provided the opportunity to send written comments to the Department related to a project. Such comments are appended to, and become part of, the official hearing transcript record. All comments and issues raised at the hearing, transcript record, and any design, cost, environmental, and other changes occurring since the approval of the Draft Environmental Impact Statement (DEIS) must be considered and documented by the District in the Final Environmental Impact Statement (FEIS). A detailed discussion of these procedures is provided in **Part 1, Chapter 9** of the **PD&E Manual**. Once complete, the FEIS including the public hearing transcript, any comments received during the comment period, and response to those comments are forwarded to the lead federal agency for approval.

After approval of the FEIS in accordance with **23 CFR 771.125**, the District places a **Notice of Availability** of the FEIS in local newspaper(s) initiating the 30-day public review period and identifying where the document is available for public review. The FEIS should be available for public review at the District's office and at the lead federal agency's office. Copies should also be available for public review at institutions in the project vicinity such as local government offices, libraries, or schools, as appropriate. **Figure 11.22** provides a sample of the **Notice of Availability** of the FEIS.

11-2.10 Notice of Location and Design Concept Acceptance

The Federal Highway Administration (FHWA) must accept the Finding of No Significant Impact (FONSI) for an EA, or the Record of Decision for Final Environmental Impact Statement (FEIS) and the certified public hearing transcript in order for Location and Design Concept Acceptance (LDCA) to occur. Once accepted by FHWA, the project may proceed to the next phase of development. The District publishes a notice in the same local newspaper that the public hearing notification was published in to let

the public know that LDCA has been received from the FHWA. For an example of an LDCA ad, see **Figure 11.23**.

For LDCA to occur on a Type 2 CE, FHWA must accept the Type 2 CE documentation, and the certified hearing transcript or the certification of opportunity (if applicable) for a project or concur that no public hearing is required. For a Type 2 CE, the public hearing requirements must be satisfied according to **23 CFR 771** prior to FHWA's approval of the Type 2 CE documentation. FHWA's concurrence with the Type 2 CE documentation constitutes LDCA for the project. The transmittal letter submitting the Type 2 CE documentation and a verbatim transcript and public hearing summary or certification, if applicable, must provide an acceptance block for FHWA's Division Administrator signature and request LDCA (**Part 1, Chapter 5, Type 2 Categorical Exclusion**).

For projects developed as State Environmental Impact Reports (SEIRs), the public hearing transcript becomes a part of the project and is maintained in District files.

11-2.11 Subsequent Public Hearings

A subsequent public hearing is held if:

1. The design of the project substantially changes after the Location and Design Concept Acceptance public hearing or after SEIR approval; or
2. The changes will cause substantial social, economic, or environmental impacts different from those previously determined; or
3. There is question as to whether a public hearing should be held.

As required by **Section 339.155(6) F.S.**, if a public hearing is held after the Location and Design Concept hearing (e.g.; design hearing or another location and design concept hearing for the same project), then the public hearing must be advertised twice, with the first notice appearing **at least 15 days but no more than 30 days prior** to the date of the hearing. The second notice should appear between five and 12 days prior to hearing.

This is to be done in addition to the issuance of invitational letters. The notification by letter may be focused on the area affected by the design change depending on the project length and the extent of impact. This decision should be made in consultation with the FHWA for federal projects.

11-2.12 Public Involvement during Reevaluation Phase

FHWA and the District will determine in consultation whether changes in the project or new information warrant additional public involvement based on major changes in social, economic or environmental impacts not present or not evaluated in

the earlier document. For information on preparing a Reevaluation see ***Part 1, Chapter 13, Reevaluations***.

11-2.13 Community Awareness Plans

Typically, when a project reaches the Design phase, many of the project commitments and community issues have already been identified. However, this is not always the case. Design alternatives still need to be reevaluated to determine their implication in relation to community impacts. Commitments made in previous project phases are communicated to designers who are then responsible for carrying them out. If constraints arise that require design changes which may affect the Department's ability to meet commitments, the process then requires follow-up with the affected community. In such cases, additional public involvement and community impact assessment may be necessary to address public concerns.

A Community Awareness Plan (CAP) is developed during the plans production phase, in addition to public contact that may have occurred during the project development phase, for projects that have been scheduled in the Work Program. The objective of the CAP is to identify the means of notifying local governments, affected property owners, tenants and the public, of the District's proposed construction and the anticipated impact of that construction. In addition to the benefits of advance notification, the process should allow the District to resolve controversial issues during the design phase. Areas of specific concern are:

1. Potential access impacts to business and residential communities,
2. Drainage, and
3. Maintenance of traffic during construction.

Each District within the Department has developed CAP guidelines to be implemented on all design projects for continued efforts in public involvement depending on the level of impact to the community. Reference: ***Plans Preparation Manual, Volume 1, Chapter 1, Section 1.10, Topic No. 625-000-007***.

11-3 REFERENCES

1. Chapter 120, Florida Statutes
2. Section 339.155, Florida Statutes
3. Section 286.26, Florida Statutes
4. Section 335.18, Florida Statutes

5. Section 479.25, Florida Statutes, as Amended by HB 273
6. 23 Code of Federal Regulations, 771
7. 36 Code of Federal Regulations, Part 800
8. 40 Code of Federal Regulations, 1500-15.8, 1500-1508
9. 40 Code of Federal Regulations, Part 51
10. 23 United States Code, Part 128
11. 23 United States Code 135(e) 3, Participation by Interested Parties
12. Executive Orders 11990 and 11988
13. Governor's Plain Language Initiative (Executive Order 07-01).
14. Americans with Disabilities Act (ADA) of 1990, Titles I and V. 42 USC, Chapter 126, Section 12101
15. Title VIII of the Civil Rights Act 1968, as amended, and Related Statutes, 42 USC, 3601-3639
16. Title VI of the Civil Rights Act of 1964 and Related Statutes
17. Florida Department of Transportation Public Involvement Opportunities, Topic No. 000-525-050, effective September 15, 2005
18. Florida Department of Transportation, Public Involvement Handbook, October 2003
19. Florida Department of Transportation Environmental Policy (000-625-001)
20. Florida Department of Transportation, Efficient Transportation Decision Making (ETDM) Manual, March 2006
21. Florida Department of Transportation ETDM Planning and Programming Manual
22. Florida Department of Transportation, Sociocultural Effects Evaluation Handbook, November 2005
23. Florida Department of Transportation Plans Preparation Manual, Volume 1, Chapter 1, Public Involvement, Topic No. 625-000-007 and Volume 1, Section 32.4

24. Florida Department of Transportation, Public Involvement Handbook for Median Projects
25. Florida Department of Transportation Rules, Chapter 14-97, State Highway System Access Management Classification System and Standards
26. Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), August 25, 2005
27. U.S. Department of Transportation, Federal Highway Administration, Public Involvement Techniques for Transportation Decision-Making, September 1996.
28. Federal Highway Administration, Technical Advisory T6640.8A, "Guidance for Preparing and Processing Environmental and Section 4(f) Documents", October 30, 1987
29. Florida Administrative Weekly, Bureau of Administrative Code 1S-1.003(1)
30. FHWA Section 4(f) Policy Paper, March 1, 2005
31. Justification Review, Right-of-Way Acquisition Program, Florida Department of Transportation, Report 99-02, August 1999.
32. ETDM Public Access Site <http://etdmpubfla-etat.org/est/>
33. Florida Department of Transportation Website: <http://www.dot.state.fl.us/>
34. Federal Highway Administration (FHWA) Visualization in Planning Website: <http://www.fhwa.dot.gov/planning/vip/index.htm>
35. FDOT's CEMO Website www.dot.state.fl.us/emo
36. FHWA's Public Involvement Website www.fhwa.dot.gov/reports/pittd/cover.htm.
37. Improving the Quality of Environmental Documents, AASHTO/ACE and FHWA publication, May 2006:
http://environment.transportation.org/pdf/IQED-1_for_CEE.pdf.
38. Florida Department of Transportation's Public Meeting Notices Website: <http://www2.dot.state.fl.us/publicsyndication/PublicMeetings.aspx>.
39. Florida Department of Transportation's INFONET Website: <https://infonet.dot.state.fl.us>
40. Florida Administrative Weekly website: www.flrules.org/agency/login.asp.

11-4 HISTORY

05/27/2003, 05/18/2009, 03/18/2010, 06/24/2010

Acronyms

ACEC - American Council of Engineering Companies

ADA - Americans with Disabilities Act

AN - Advance Notification

CAC - Citizens Advisory Committee

CAM - Community Awareness Memorandum

CAP - Community Awareness Plan

CE - Categorical Exclusion

CEMO - Central Environmental Management Office

CEQ - Council on Environmental Quality

CFR - Code of Federal Regulations

CLC - Community Liaison Coordinator

DEIS - Draft Environmental Impact Statement

EA - Environmental Assessment

EIS - Environmental Impact Statement

EO - Executive Order

EPA – Environmental Protection Agency

EST - Environmental Screening Tool

ETAT - Environmental Technical Advisory Team

ETDM - Efficient Transportation Decision Making

FAW - Florida Administrative Weekly

FDOT - Florida Department of Transportation

FIGURE 11.1 List of Acronyms

FEIS - Final Environmental Impact Statement

FHWA - Federal Highway Administration

FONSI - Finding of No Significant Impact

FR - Federal Register

FS - Florida Statute

GIS - Geographic Information System

LDCA - Location and Design Concept Acceptance

LEP – Limited English Proficiency

LRTP - Long Range Transportation Plan

MPO - Metropolitan Planning Organization

NEPA - National Environmental Policy Act

NMSA - Non-Major State Action

PAG - Project Advisory Group

PD&E - Project Development and Environment

PIO - Public Information Office

PIP - Public Involvement Program

PM - Project Manager

ROW – Right of Way

SAFETEA-LU - Safe, Accountable, Flexible, Efficient Transportation Equity Act:
A Legacy for Users - August 25, 2005

SCE - Sociocultural Effects

SEIR - State Environmental Impact Report

USC - United States Code

FIGURE 11.1 List of Acronyms

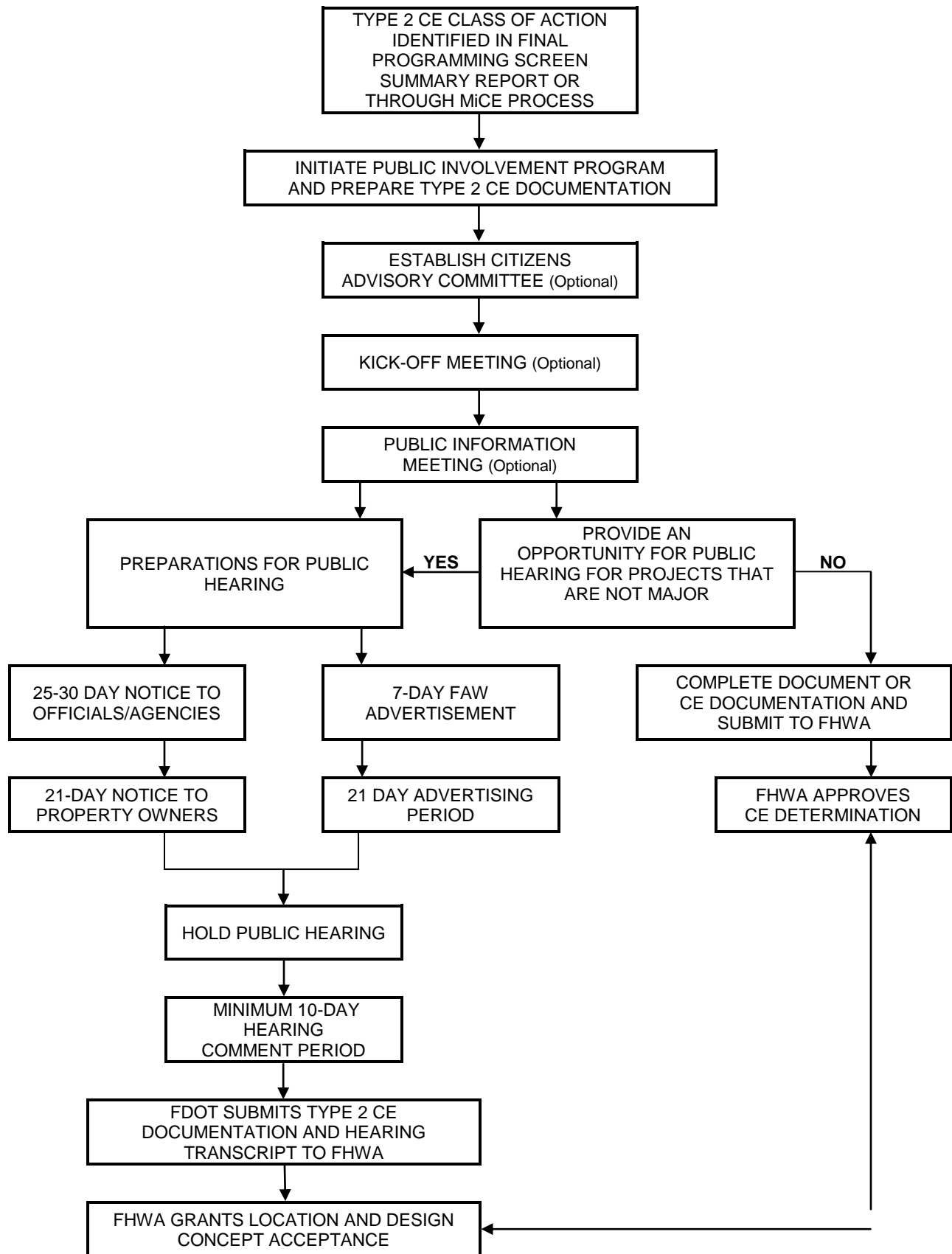


FIGURE 11.2 Public Involvement Process for Type 2 Categorical Exclusions
6-15-12 PART 1, CHAPTER 11 11-59

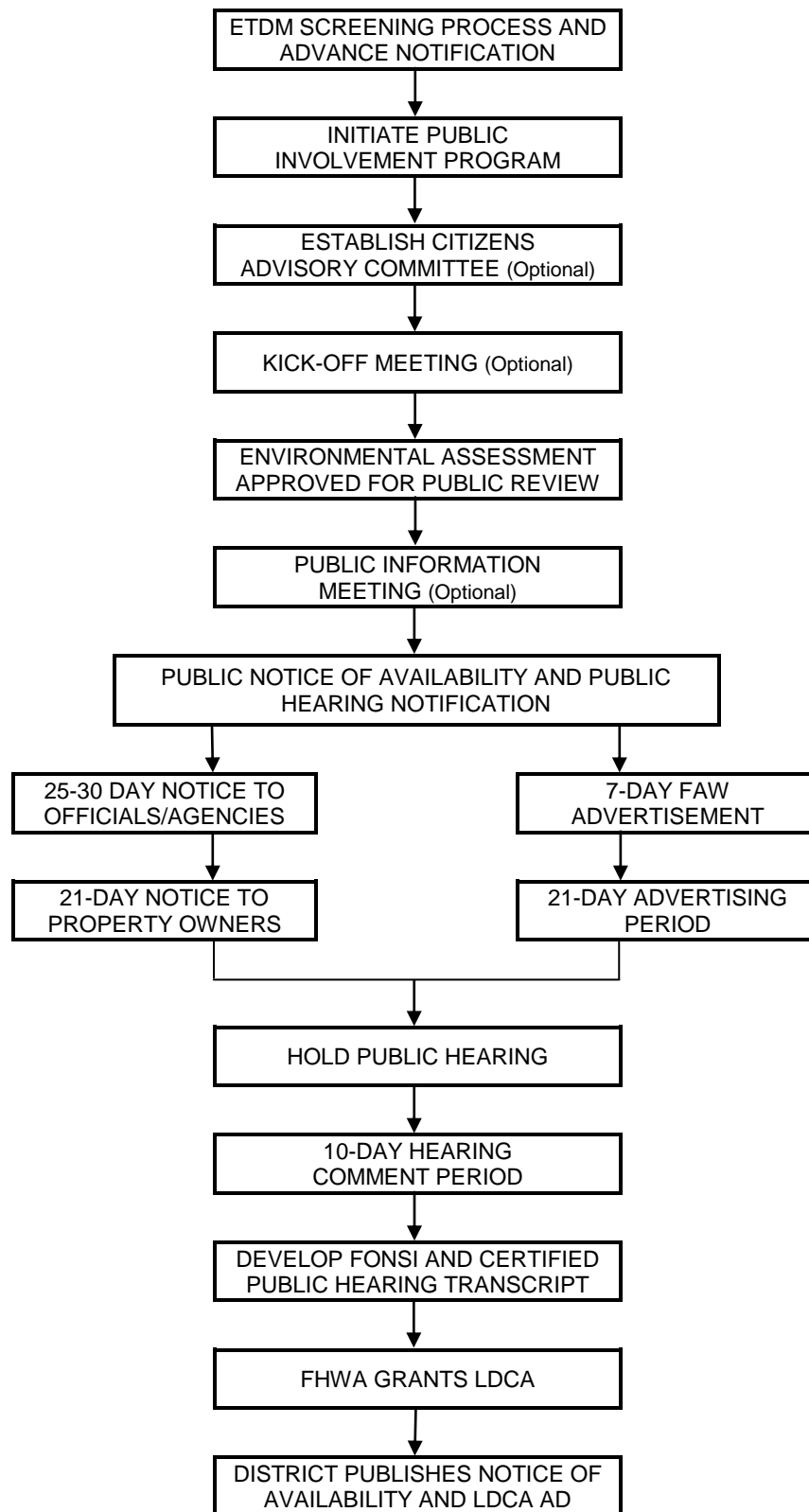


FIGURE 11.3 Public Involvement Process for Environmental Assessments

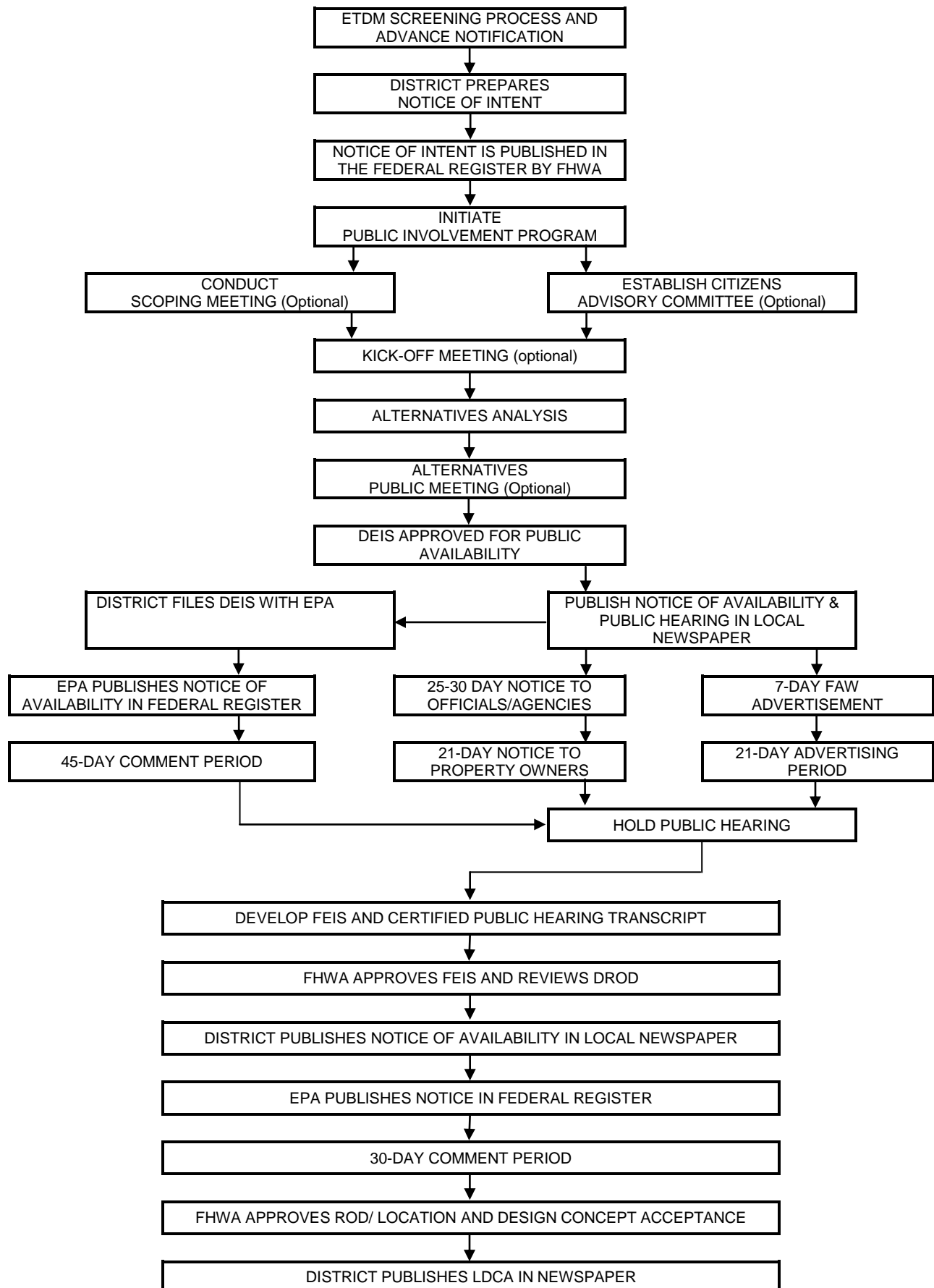


FIGURE 11.4 Public Involvement Process for Environmental Impact Statements
 6-15-12 PART 1, CHAPTER 11 11-61

SAMPLE PUBLIC INVOLVEMENT PROGRAM

Project Name: _____
Project Limits: _____
County/State: _____
Financial Management Number: _____
Federal Aid Project Number: _____

In accordance with Part 1, Chapter 11 of the ***Project Development and Environment (PD&E) Manual***, this Public Involvement Program is submitted to the District Environmental Management Office (DEMO) Engineer for his/her review and approval.

Submitted by: _____ (Name)
Project Manager

(Name of Consulting Firm)

Date: _____

Approved by: _____
District Environmental Management Engineer or Designee

Date: _____

FIGURE 11.5 Sample Public Involvement Program (Page 1 of 11)

Project Contact Information

For additional information regarding this project contact:

(Name) _____	(Name) _____
FDOT Project Manager	Consultant Project Manager
Address: _____	Address: _____
_____	_____
_____	_____
Telephone: _____	Telephone: _____
E-mail: _____	E-Mail: _____

II. PROJECT BACKGROUND

(Note: Give a brief project background description)

III. PROJECT GOALS

The following goals and objectives have been defined for this study:

(Note: List and define project goals)

IV. IDENTIFICATION OF AGENCIES AND AFFECTED PUBLIC

The following local, regional, state, or federal agencies having a concern in this project due to jurisdictional review or expressed interest have been identified and will be contacted directly by the Florida Department of Transportation (FDOT) through the Advance Notification (AN) process at the outset of the project in accordance with the PD&E Manual, Part 1, Chapter 3, Advance Notification. As other concerned public agencies are identified throughout the study, they also will be listed and contacted.

State: Florida Department of Agriculture - Division of Forestry
Florida Department of Environmental Protection
Florida Department of State, State Historic Preservation
Division of Historical Resources
Florida Fish and Wildlife Conservation Commission -
Office of Environmental Services
Florida Fish and Wildlife Conservation Commission -
Division of Marine Fisheries

(Note: Add others that pertain to the project)

Federal: Federal Highway Administration, Division Administrator
Federal Emergency Management Agency - Regional Director
Federal Aviation Administration - Airports District Office
Federal Railroad Administration - Office of Railroad Development,
Environment and Systems Planning
National Center for Environmental Health

FIGURE 11.5 Sample Public Involvement Program (Page 3 of 11)

National Center for Injury Prevention and Control
 National Center for Disease Control and Prevention
 National Register of Historic Places
 U.S. Army Corps of Engineers - Regulatory Branch, District Engineer
 U.S. Army Corps of Engineers - Field Office
 U.S. Coast Guard - _____ District
 U.S. Department of Agriculture - _____ Region
 U.S. Department of Commerce - National Marine Fisheries,
 Habitat Conservation Division
 U.S. Department of Commerce -
 National Oceanic and Atmospheric Administration
 U.S. Environmental Protection Agency - Regional Administrator
 U.S. Department of Housing and Urban Development -
 Regional Environmental Officer
 U.S. Department of Interior - Bureau of Indian Affairs
 U.S. Department of Interior -
 Bureau of Land Management Regional Office
 U.S. Department of Interior - National Park Service _____ Region
 U.S. Department of Interior - U.S. Fish and Wildlife Service
 U.S. Department of Interior - U.S. Geological Survey
 U.S. Forestry Service

(Note: Add others that pertain to the project)

Regional: *(List: e.g., Chamber of Commerce, Regional Planning Council, Transportation Planning Organization, Water Management District or others that may pertain to the project)*

Native American Tribes:

Miccosukee Tribe of Indians
 Muscogee (Creek) Nation
 Poarch Band of Creek Indians of Alabama
 Seminole Nation of Oklahoma
 Seminole Tribe of Florida
 Mississippi Band of Choctaw Indians (only contact for projects in the Florida
 Panhandle, west of the Apalachicola River to the Alabama state line)

Local Elected and Appointed Officials:

Florida State Senators for Local Districts:

Name	Senator, District _____
Name	Senator, District _____
Name	Senator, District _____

Florida State Representatives for Local Districts:

Name	Representative, District _____
Name	Representative, District _____
Name	Representative, District _____

Federal Delegation:

Name	State of Florida Governor
Name	U.S. Senator
Name	U.S. Senator

FIGURE 11.5 Sample Public Involvement Program (Page 4 of 11)

	Name	U.S. Representative, District _____
	Name	U.S. Representative, District _____
_____	County:	
	Name	County Administrator
	Name	Commissioner, District 1
	Name	Commissioner, District 2
	Name	Commissioner, District 3
	Name	Commissioner, District 4
	Name	Commissioner, District 5
	Name	Clerk of the Circuit Court
	Name	Public Works Director
	Name	County Engineer
	Name	County Sheriff
	Name	County Superintendent of Schools
_____	(City)	
	Name	Mayor
	Name	Councilman/Commissioner
	Name	Councilman/Commissioner
	Name	Councilman/Commissioner
	Name	Councilman/Commissioner
	Name	Councilwoman/Commissioner
	Name	City Manager
	Name	City Clerk
	Name	Fire Chief
	Name	Chief of Police
	Name	Recreation and Parks Director
	Name	Public Works Director
	Name	City Engineer
	Name	Airport Director

The following local, state, and national public interest groups or organizations having a direct or expressed interest in the project study have been identified and will be contacted by the Florida Department of Transportation (*e.g., Sierra Club, Audubon Society, local neighborhood association(s), etc.*).

V. OUTREACH ACTIVITIES

The following techniques will be used to notify the public of the proposed transportation improvement and to solicit public input into the project development process.

FIGURE 11.5 Sample Public Involvement Program (Page 5 of 11)

Newspaper(s):

♦ *Name of Publication*
Address

Phone Number

♦ *Name of Publication*
Address

Phone Number

Television:

♦ *Name of Television Station*
Address

Phone Number

♦ *Name of Television Station*
Address

Phone Number

Radio:

♦ *Name of Radio Station*
Address

Phone Number

♦ *Name of Radio Station*
Address

Phone Number

In addition to working with the media, a number of different notification techniques will be used throughout the project development process. A brief description of these techniques is listed below.

Letters/Newsletters: Invitational and informational letters and newsletters will be distributed to elected and appointed officials, property owners/tenants, business owners/operators, and interested parties as feasible. It is anticipated that (number) newsletters will be distributed for this study: (note when in the project process). Notices will be hand-delivered to residences and businesses located directly along the project corridor (optional) as deemed necessary by the FDOT.

News/Press Releases: News/press releases will be submitted to the FDOT seven days prior to each public meeting and the public hearing.

**Public Notices/
Legal Display Ads:** Public advertisement will consist of a legal display advertisement published in the area newspaper with the largest circulation twice prior to the public meeting/hearing, and once to announce Federal Location and Design Concept Acceptance (LDCA) at the end of the study.

**Public
Announcements:** In order to distribute PD&E Study information, fliers will be made available to organizations such as neighborhood/civic groups, the FDOT, and (name) County, to publish in existing newsletters and web sites. Any such correspondence will be coordinated through the District's Public Information Office (PIO).

FIGURE 11.5 Sample Public Involvement Program (Page 6 of 11)

**Direct Mail List
For Public Hearings:**

The following will be contacted by direct mail in order to obtain input throughout the project development process and/or in order to provide project information:

- ◆ Those whose property lies, in whole or part, within at least 300 feet on either side of the centerline of each project alternative (Section 339.155 FS), as well as other local citizens who may be impacted by the construction of this project. This portion of the mailing list will be based on the County Property Appraiser's tax rolls.
- ◆ Local elected and appointed public officials or individuals who request to be placed on the mailing list for this project.
- ◆ Public and private groups, organizations, agencies, or businesses that request to be placed on the mailing list for this project.

Techniques: Citizens Advisory Committee (CAC)/Project Advisory Group (PAG): A CAC or PAG will be selected with the assistance of local governments; composed of local citizens having an active role in the community such as representatives from impacted/interested cities, counties, regional agencies, MPOs and committees, and neighborhood associations or other groups within the project area. This CAC/PAG will be organized at the beginning of the project to involve local participants for advisory purposes, especially on highly controversial or sensitive projects (optional) (See PD&E Manual, Part 1, Chapter 11, Section 11-2.5). (optional)

Presentations to Local Officials: Presentations will be given to local officials and agencies such as the MPO prior to the Public Information Meeting(s) and the Public Hearing to apprise local officials of the project status, specific location and design concepts, and receive their comments.

FIGURE 11.5 Sample Public Involvement Program (Page 7 of 11)

Public Information Meetings: (number) (#) public meeting(s) will be conducted, as required by the FDOT, to present the project and the conceptual project alternatives being considered, and to obtain comments from the general public. These meetings will be informal.

Public Hearing: A formal public hearing, as required by Federal Regulations and State Law, will be held.

Informal Meetings: In addition to the scheduled public meetings, there will be (number) (#) additional meetings with the public, elected and appointed officials, public agencies, or civic groups. The purpose of these meetings will be to apprise the attendees of the project status, specific location and design concepts, and to receive input.

Public Outreach Activity Schedule:

	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.
Compile Mailing List	★									
Advance Notification	★									
Newsletter #1	★									
Public Kick-off Meeting		★								
Corridor / Other Public Meeting				★						
Small Group Meetings										
Newsletter #2					★					
Alternatives Public Meeting						★				
Public Hearing								★		
LDCA Ad										★

Note: This is a sample project schedule. Adjust the months and tasks to pertain to a specific project.

FIGURE 11.5 Sample Public Involvement Program (Page 8 of 11)

VI. COORDINATION WITH _____ COUNTY

Copies of aerial maps depicting all alignment and design concepts under consideration, along with draft copies of engineering and environmental study documentation, will be furnished to the County Engineers with their review and written comments solicited. Updated information will also be forwarded to the county(s) prior to the scheduled public hearing for review and comment.

VII. ANALYSIS AND SUMMARY OF PUBLIC COMMENTS

A Comments and Coordination Report will be developed to summarize the public meeting/workshop results and recommendations. The report also will contain the overall input provided through the other public involvement techniques utilized in the project development process. The report will be forwarded to the District Environmental Management Engineer.

VIII. PUBLIC HEARING

In compliance with the "Project Development and Environmental Manual," 23 CFR 771 and Section 339.155, FS, a public hearing will be held.

Public Hearing Site: The public hearing will be held at an appropriate facility convenient to the study area.

Public Advertisement: An display advertisement will appear in the _____ (name of newspaper) twice (at least 21 days and no more than 30 days) prior to the public hearing.

Name of Publication
Address

Phone Number

All advertisements to local newspapers will be sent via e-mail or by registered mail, return receipt requested.

In addition, an announcement of the public hearing will be published in the *Florida Administrative Weekly* at least 7 days prior to the public hearing. See Section 11-2.9.3.1 for instructions regarding FAW Ad submittal.

FIGURE 11.5 Sample Public Involvement Program (Page 9 of 11)

Letters of Invitation:	Letters will be mailed to all property owners as required by Section 339.155, FS and to local elected and appointed government officials notifying them of the upcoming public hearing. Notices also will be hand-delivered to residences and businesses located directly along the project corridor as deemed necessary by the FDOT (optional).
Hearing Preparation:	Tape recordings, slide presentations and/or video presentations, project corridor aerial maps, graphics, and handouts will be prepared to supplement the oral public hearing presentation.
Transcript:	A verbatim transcript of the public hearing will be compiled, to include written comments received at the hearing and written comments received within the established comment period after the hearing. All public hearing documentation (handouts, presentation, graphics, etc.) will be included with the transcript.
Documents for Public Review:	Environmental and engineering reports to support PD&E studies evaluation will be available for public review at least 21 calendar days prior to the public hearing date.
Locations of Documents for Public Review:	<p>Public notice will be provided in the public hearing advertisement and by mailed invitational letters as to where the study documents are located for public review. Documents to be provided include the Project Development Summary Report and any documents that provide documentation for the alternatives analysis.</p> <p>Suggested public review sites are:</p> <ul style="list-style-type: none"> ◆ County Libraries ◆ District Offices ◆ County Offices ◆ City Offices
Title VI and Related Statutes	Notification during the public hearing will be provided in the presentation, by handout, signage, and through availability of personnel on the Title VI Program and the Relocation Assistance Program which complies with Title VIII.
Americans with Disabilities Act Compliance:	Notification of the Department's intent to comply with the Americans with Disabilities Act will be provided in the public advertisements for the public hearing, in invitational letters to property owners/tenants and local officials, in handout, and by selection of a public hearing site that meets all ADA requirements.

FIGURE 11.5 Sample Public Involvement Program (Page 10 of 11)

IX. PUBLIC HEARING FOLLOW-UP

The following procedures will occur after the public hearing.

Responses:	Responses to all letters received as a result of the hearing and questions and comments not answered at the public hearing will be made in writing.
Recommendation Notice:	A legal notice announcing the Federal Highway Administration's (FHWA's) approval of the final document and recommendations will be published in the <u> (Name of Local Publication) </u> newspaper. In addition, news items detailing the Department's recommendations to FHWA will be provided to local media.
Public Hearing Transcript Package:	A Transcript Package will be produced and submitted following the Public Hearing. The Transcript Package will include a verbatim hearing transcript prepared by an approved court reporter, an errata sheet detailing any transcript discrepancies, a copy of all correspondence received by the Department as part of the public hearing record, and affidavits of publication for newspaper ads advertising the hearing.
Comments and Coordination Report:	A <i>Comments and Coordination Report</i> will be produced and submitted at the conclusion of the study, in a bound booklet with a cover, containing, at a minimum, all documentation regarding public participation performed throughout the study period. This report shall include all comments and responses received from the public as well as Advance Notification, coordination with local officials and agencies, and public meetings, etc., the verbatim transcript from the Public Hearing, proof of publication of legal ads, sign-in sheets, public hearing certification, and all public correspondence. A summary of the Public Involvement Report shall be included with the final engineering documents.

X. EVALUATION OF THE PUBLIC INVOLVEMENT PROGRAM

A public involvement evaluation process will be developed to assess the effectiveness of the public involvement efforts utilized throughout the PD&E Study. This process will include identification of the public involvement tools, establishment of performance measures, performance evaluations, and identification of improvement strategies.

XI. PUBLIC INVOLVEMENT DURING DESIGN

It is anticipated that the Design Project Manager will maintain the appropriate level of public involvement activities throughout the final design process. These public involvement activities may include additional coordination meetings with local government and environmental permitting agencies, work sessions, and small group meetings, as directed by FDOT.

FIGURE 11.5 Sample Public Involvement Program (Page 11 of 11)



Florida Department of Transportation

GOVERNOR

District Address
District City, State and Zip Code

SECRETARY

PRESS RELEASE

FOR IMMEDIATE RELEASE: _____ Date _____
PROJECT CONTACT: _____ (Name) _____
_____ (Phone Number) _____

PUBLIC MEETING/PUBLIC HEARING NOTICE

The Florida Department of Transportation (FDOT) District ____ has scheduled a public meeting/ public hearing regarding the proposed improvements to _____ from _____ to _____ in _____ County, Florida. The meeting/ hearing will be held on _____ (day of week), _____ (month) _____ (day), _____ (year), at _____ (meeting location). The meeting/hearing will begin as an open house from _____ to _____ with a formal presentation at _____.

This meeting/hearing is being held to allow interested persons an opportunity to express their views concerning the location, conceptual design; and social, economic, and environmental effects of the proposed improvements to _____ (name of project) _____. The proposed improvements consist of improving the roadway capacity to meet future travel demand, improving existing drainage and bridge deficiencies, constructing a sidewalk, and improving safety (select or add items pertaining to a specific project).

The _____ (environmental document type) along with other pertinent information developed by the Department will be available for public review on weekdays from _____, 200____ through _____, 200____, at _____ (name of facility) _____, _____ (address) _____, _____ (City/State) _____. These materials will also be available at the meeting/hearing site from ____ p.m. until the end of the meeting/hearing. Persons desiring to submit written statements and other exhibits, in place of or in addition to oral statements, may do so at the meeting/hearing or by sending them to _____ at FDOT District _____, _____ (FDOT address) _____. All exhibits or statements postmarked no later than (10 days after meeting), 20____ will become a part of the meeting/public hearing record.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact _____ at _____ at least seven days prior to the meeting.

FIGURE 11.6 Sample Press Release

SAMPLE PUBLIC INFORMATION MEETING NOTICE

(Name of Project)

(Project Limits)

County(s), Florida

(FIN #)

The Florida Department of Transportation, District ____, will conduct a public information meeting on the proposed improvements to (name of project) in (city/county), Florida. The meeting will be held in an open house format on (Date), 20__, from (time) to (time), at (location and street address). The proposed improvement involves (description of proposed improvements) from (begin project limits) to (end project limits), for a length of ____ miles.

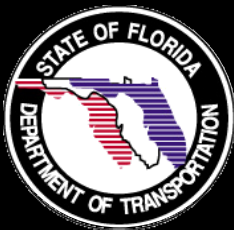
This public information meeting is being held to present the project progress to date and obtain comments from the general public on the alternatives being considered. Department representatives will be available during the meeting to informally discuss the project and answer questions. Attendees are encouraged to come to this meeting at any time between (time) and (time) to review the proposed transportation improvements.

Public Participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact _____ at _____ at least seven days prior to the meeting.

(Include name, telephone number and email of contact person).

Project Location Map



PUBLIC INFORMATION MEETING

Date: _____
Time: _____
Place: _____

Florida Department of Transportation

FIGURE 11.7 Sample Public Information Meeting Notice

PUBLIC MEETING FACILITY CHECKLIST

Project Name: _____	Project Number: _____
Facility Name: _____	Phone Number: _____
Facility Address: _____	Contact Name: _____
_____	Date of Visit: _____
_____	Time of Visit: _____

Facility Information	Notes/Information	✓
Meeting Room Measurements		
Capacity Number		
ADA Requirements: Wheel-Chair Access Ramps		
Sound System: Microphone Speakers Podium		
Audiovisual Equipment Available: Screen Projector Projector Table		
Room Layout (Draw Sketch): Wall Space Available Location of Doors, Windows Room for Display Boards Stage Presentation Area		
Number of Chairs Needed:		
Number of Tables Needed:		
Janitor Service/Self Service		
Fees: Facility Rental Fee Janitorial Fee Other		
Available Parking		
Access to Meeting Room from Parking Lot		

FIGURE 11.8 Sample Public Meeting Facility Checklist (Page 1 of 3)





Facility Information	Notes/Information	✓
Number of Directional Signs Needed (Outside)	 Right Arrow  Left Arrow  Down Arrow  Up Arrow Double Sided Welcome Sign	
Restroom Facilities: Location from Meeting Room Water Fountain ADA Accessibility		
Food/Beverage Allowed? Soft Drink Dispenser Trash Containers		
Electrical Outlets: Number/Locations Extension Cords Needed		
Special Instructions: Lights Thermostat Lock-Up Other		
Insurance Needed:		
Facility Agreement Needed:		
Facility Schedule/Conflicts: Other Meetings/Activities Split Use/Exclusive Use		
Overall Site Security: Lighting, etc. Demographics		
General Notes	<p align="center">SKETCH OF OUTSIDE OF FACILITY, ADJACENT STREETS, ETC.</p>	

FIGURE 11.8 Sample Public Meeting Facility Checklist (Page 2 of 3)

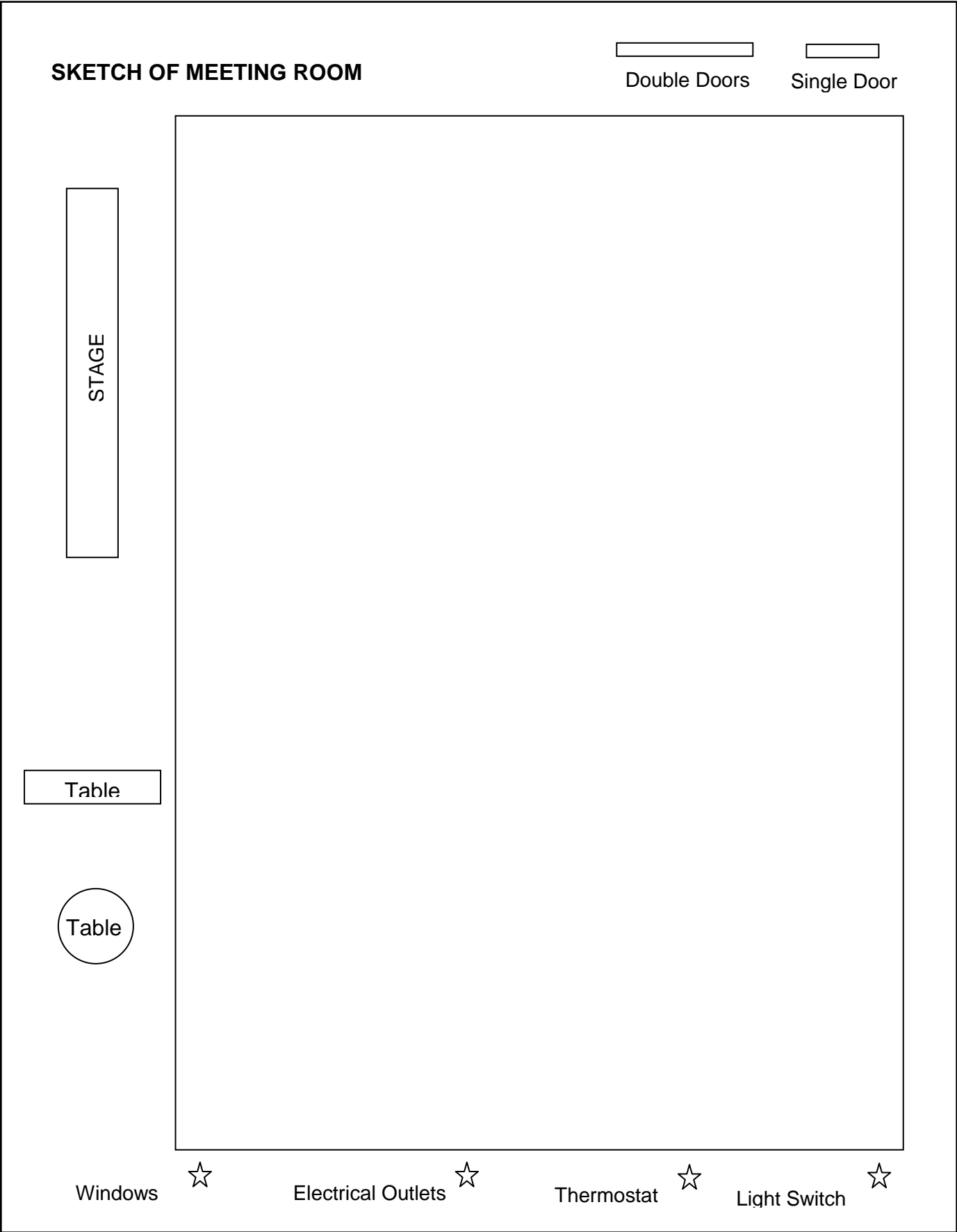


FIGURE 11.8 Sample Public Meeting Facility Checklist (Page 3 of 3)



Florida Department of Transportation

GOVERNOR

District Address

SECRETARY

District City, State and Zip Code

(DATE)

(Addressee from mailing list - see attached)

Position

Agency

Address

City, State Zip Code

Subject: Project Name _____
Project Limits _____
County/State _____
Financial Management Number: _____
Federal Aid Project Number: _____

Dear Mr./Ms. Last Name:

The Federal Highway Administration (FHWA) (or lead federal agency) and the Florida Department of Transportation (FDOT) are preparing an Environmental Impact Statement (EIS) on the above referenced project. This letter is an invitation for your agency to attend a scoping meeting.

The purpose of this scoping meeting is to:

1. Determine the scope and significance of issues and the degree of analysis required for the EIS. This will also include identification of the range of alternatives and potential impacts to be evaluated.
2. Identify issues which are not significant or which have been covered by prior environmental studies and eliminate them from detailed study. This would narrow discussion in the EIS to a brief description of why they will not have a significant effect on the human environment or providing a reference to their coverage elsewhere.
3. Allocate assignments for sections of the EIS among lead and cooperating agencies with the lead agency (FHWA/FDOT) retaining responsibility for the EIS preparation.
4. Identify any environmental assessments or impact statements which are being prepared and are related to, but are not part of, the scope of the EIS under consideration.
5. Identify other environmental review and consultation requirements so the lead and cooperating agencies may prepare other required analyses and studies concurrently with, and integrated with, the EIS. Examples of additional requirements include surveys and studies required by the National Historic Preservation Act and the Endangered Species Act.

FIGURE 11.9 Sample Scoping Meeting Invitational Letter

6. Identify permits, licenses, or entitlements that will be necessary.
7. Determine the relationship between the timing of the preparation of environmental analyses and the agency's tentative planning and decision-making schedule.

____ (name of consultant firm) ____ of ____ (City/State) ____, has been retained by the Florida Department of Transportation to develop the conceptual design features for the proposed project and an EIS.

The scoping meeting will be held on (day of week), (month), (date), 20__ from (time) to (time) at (street address) .

The proposed improvements would involve ____ (project description) ____ to ____ (project name and project limits).

Alternatives currently under consideration include:

1. Taking no action;
2. Widening to a _____;
3. Widening to a _____; and
4. Alternate corridors.

The study also includes consideration for _____.
(Additional project description - e.g., *The project may be an influencing factor for an increased rate of development in an area containing transitional wetlands. It may affect pedestrian safety and have an economic effect on existing commercial property which may be displaced or lose parking spaces.*)

This formal scoping meeting is necessary to aid the Department in project development and to increase interagency awareness of concerns. An agenda and project location map are enclosed to assist you in studying this project and outlining potential issues. If you have any questions prior to the meeting please contact: (FDOT Project Manager's name) (district address) or (consultant Project Manager's name) (consultant's address).

Your agency's participation and cooperation in this preliminary issues identification effort is encouraged, and the Department would appreciate being notified by (date) whether your agency will attend this meeting.

Sincerely,

District Environmental Management Engineer

xx/xx
Enclosures

FIGURE 11.9 Sample Scoping Meeting Invitational Letter

Scoping Meeting Suggested Invitation Mailing List

Early agency coordination and involvement is part of the Efficient Transportation Decision Making (ETDM) process. Review the ETDM public access web site at <http://etdmpub.fl-etat.org> to help determine which agencies have already been contacted regarding a specific project. Include those agencies and others as necessary:

Florida Department of Agriculture - Division of Forestry

Florida Department of Environmental Protection (FDEP) - Branch Office

Florida Department of Environmental Protection (FDEP) - District Office

Florida Department of Environmental Protection (FDEP) - Office of Environmental Services-

Florida Department of Environmental Protection (FDEP) - Land Management Advisory Council

Florida Department of Environmental Protection (FDEP) - Office of Greenways and Trails

Florida Department of State - State Historic Preservation Office

Florida Fish and Wildlife Conservation Commission (FFWCC) - Division of Marine Fisheries

Florida Fish and Wildlife Conservation Commission (FFWCC) - Office of Environmental Services

Florida Fish and Wildlife Conservation Commission (FFWCC) - Regional Office

National Oceanic and Atmospheric Administration (NOAA) - National Marine Fisheries Services (NMFS) Regional Office

State Department of Community Affairs

U.S. Army Corps of Engineers (USACOE) - Branch and Permits Section

U.S. Coast Guard - District

U.S. Department of the Interior - Bureau of Indian Affairs

U.S. Department of the Interior - Bureau of Land Management

U.S. Department of the interior - Fish and Wildlife Service (USFWS)

U.S. Environmental Protection Agency (USEPA) - Ecological Review Branch

U.S. Forestry Service

Water Management District (for project location)

FIGURE 11.9 Sample Scoping Meeting Invitational Letter

TITLES AND SALUTATIONS			
Title	Address on Envelope	Salutation in Letter	Close
U.S. Senator	The Honorable (full name) United States Senate Address	Dear Senator (last name)	Sincerely or Respectfully yours
U.S. Representative	The Honorable (full name) House of Representatives Address	Dear Congressman/Congresswoman (last name)	Sincerely or Respectfully yours
Governor	The Honorable (full name) Governor of (State) Address	Dear Governor (last name)	Sincerely or Respectfully yours
State Senator	The Honorable (full name) Florida Senate Address	Dear Senator (last name)	Sincerely or Respectfully yours
State Representative	The Honorable (full name) House of Representatives Address	Dear Representative (last name)	Sincerely or Respectfully yours
Chairman City/County Commission/Council	The Honorable (full name), Chairman (City/County) Commission/Council Address	Dear Commissioner (last name)	Sincerely or Respectfully yours
Commissioner City/County	The Honorable (full name) (City/County) Commissioner Address	Dear Commissioner (last name)	Sincerely or Very truly yours
Mayor	The Honorable (full name), Mayor City of _____ Address	Dear Mayor (last name)	Sincerely or Very truly yours
Rear Admiral	Rear Admiral (name), US Coast Guard (number) Division Address	Dear Admiral (last name)	Sincerely or Respectfully yours

FIGURE 11.10 List of Titles and Salutations



Florida Department of Transportation

GOVERNOR

District Address

SECRETARY

District City, State and Zip Code

(Month/Date), (Year)

(Mr./Ms./The Honorable) First Name Last Name, Suffix

Position/Title

Address

Address 2

City, State Zip Code

Reference: Name of Project: _____
 Project Limits: _____
 County/State: _____
 Financial Management Number: _____
 Federal Aid Project Number: _____
 Kick-off Meeting

Dear (Salutation - see Figure 11-9 for proper salutations):

The Florida Department of Transportation has scheduled a kick-off meeting to discuss the proposed improvements for the project referenced above. I have enclosed a copy of the display notice for this kick-off meeting which gives the details concerning the time and place for the meeting. Similar notices have been sent to other public officials concerned with the project. If you have any questions about the project or the scheduled meeting, please call me at (telephone number) or send an e-mail to (e-mail address).

Sincerely,

District Environmental
Management Engineer or Designee

Enclosure

FIGURE 11.11 Sample Officials/Agencies Kick-off Meeting Invitation

Task	Person Resp.	Target Start	Target Complete	Date Complete	Comments
Meeting Facility					Ensure ADA compliant
Identify Public Hearing Facility					
Reserve/Confirm Public Hearing Facility					
Send Letter of Reservation/Confirmation to Facility					
Newspaper Ads - Two (2) 1/4 Page Size and Press Release					Newspaper Ads: PUBLISH TWICE First Notice at least 15 days prior to Public Hearing Second Notice at least 7 days prior to Public Hearing
Draft Newspaper Ad and Press Release					
Submit Draft Ad and Press Release to Consultant PM for Review					
Consultant PM Review of Draft Ad and Press Release					
Submit Draft AD and Press Release to FDOT for Review					
FDOT Review of Draft Ad and Press Release					
Final Revisions to Ad and Press Release					
Submit Ad to Newspaper (Send by E-mail or Return Receipt Req.)					
First print date at least 15 calendar days prior to Hearing					
Second print date 7 to 12 calendar days prior to Hearing					
Fax Press Release to Media 5 Days Prior to Hearing					
Obtain Affidavit of Publication from Newspaper - Forward to FDOT					
FAW AD (Publish Not Less Than 7 Days Prior to Hearing)					FAW Ad FAW notice to be printed no less than 7 calendar days prior to Hearing •
Draft Florida Administrative Weekly Ad					
Submit Draft FAW Ad to Consultant PM for Review					
PM Review of Draft FAW Ad					
Make PM Revisions to FAW Ad					
Submit Draft FAW Ad to FDOT for Review					
FDOT Review of Draft FAW Ad					
Final Revisions to FAW Ad					
Submit FAW Ad to District PIO to be Received:					
FAW Ad to FAW - to be Received on or Before 12:00 p.m. on:					
Mailing Lists					Public Mailing Lists Update to include any new elections/appointments and new property owners
Update Mailing List for Elected/Appointed Officials and Agencies					
Update Property Owners/Tenants/Interested Citizens Mailing List(s)					
Submit Mailing Lists to PM for Review					
PM Review of Mailing Lists					
Make Consultant PM Revisions to Mailing Lists					
Submit Mailing Lists to FDOT for Review					
FDOT Review of Mailing Lists					
Make Final Revisions to Mailing Lists					
Letters to Elected/Appointed Officials and Agencies					Letters to Elected/Appointed Officials and Agencies Officials/Agencies to receive notification no less than 25 calendar days prior to Public Hearing
Draft Letter to Officials and Agencies					
Submit Draft Letter to Consultant PM for Review					
PM Review of Draft Letter					
Make PM Revisions to Draft Letter					
Submit Draft Letter to FDOT for Review					
FDOT Review of Draft Letter					
Make Final Revisions to Letter and Merge with Officials Mailing List					
Send Letters to FDOT EMO for Signature					
Letters to be Mailed No Later Than:					
Newsletters (or Letter) to be Sent to Property Owners					Newsletter (or Letter) to Property Owners Property Owners to receive notification no less than 21 calendar days prior to Public Hearing
Draft Newsletter (or Letter)					
Submit Draft Newsletter to PM for Review					
PM Review of Draft Newsletter					
Make PM Revisions to Draft Newsletter					
Submit Draft Newsletter to FDOT for Review					
FDOT Review of Draft Newsletter					

Make Final FDOT Revisions to Newsletter					
Prepare Newsletter for Distribution - Print, Fold, Address, Stamp					
Locations for Documents to be Available for Public Review					Documents are to be available for public review 21 days prior to the Public Hearing
Facility Name/Address					
Facility Name/Address					
Facility Name/Address					
Presentation/Hearing Materials					Meeting materials should be prepared well in advance of the Public Hearing to allow for reviews and revisions
Engage Court Reporter for Public Hearing					
Prepare PowerPoint or Video Presentation					
Prepare Narration Script and Moderator's Script					
Sign-in Sheets					
Comment Forms					
Project Facts Sheet (for Team Members)					
Handouts and/or Brochures					
Speaker Cards					
List of Project Team Attendees and Name Tags					
Table Signs					
Directional Signs (outdoor/indoor)					
Welcome Sign					
Title VI Display Board and Complaint Forms					
Roadway Profiles and or Typical Sections					
Comparative Evaluation Matrix					
Aerial Display Boards					
Submit Draft Hearing Materials to PM for Review					Preparations for Briefing with FDOT
PM Review of Meeting Materials					
PM Revisions to Meeting Materials					
First Briefing Meeting with FDOT - Public Hearing Preparation Review					First Briefing Meeting with FDOT
FDOT Review of Hearing Materials					
FDOT Revisions to Hearing Materials					
Second Briefing Meeting with FDOT					Finalize Materials in Preparation for Public Hearing
Finalize Materials for Public Hearing					
Post Public Hearing Activities and Tasks					
Obtain Hearing Transcript from Court Reporter					
Review Transcript and Prepare Errata if Necessary					
Prepare Transcript Certification Form					
Review and Revisions to Errata and Certification Form					
Submit Transcript, Errata, and Certification to FDOT for Signature					
Comments and Coordination Report					
Prepare Comments & Coordination Report containing transcript, errata, and signed certification, as well as documentation for all public involvement activities conducted throughout the project.					The FDOT will Submit the Comments and Coordination Report to FHWA
Submit Comments & Coordination Report to PM for Review					
Consultant PM Review of Comments and Coordination Report					
Consultant PM Revisions to Comments and Coordination Report					
Submit Comments & Coordination Report to FDOT for Review					
Location and Design Concept Acceptance (LDCA) Newspaper Ad and Press Release					
Draft LDCA and Press Release and have PM Review					Publish LDCA after receiving FHWA acceptance
Make LDCA Ad and Press Release Revisions and Submit to FDOT					
Finalize LDCA Ad and Submit to Local Newspaper					
Finalize Press Release and Submit to FDOT for Media Notification					
Obtain Affidavit of Publication from Local Newspaper- Forward to FDOT					

FIGURE 11.12 Public Hearing Planning Checklist

Public Notice Type	Statute/Laws	Federal/State Requirements	Florida DOT Requirements	Justification
Florida Administrative Weekly Ad	Ch. 120, F.S.	7 days	7 days	The FDOT's FAW ad requirement is consistent with Ch. 120, F.S.
Newspaper Display Ads	Sec. 339.155, F.S.	Published Twice 1 st – 15-30 days 2 nd – Not Specified	Published Twice 1 st – 21-30 days 2 nd – 7-12 days	The FDOT's requirement for the first newspaper ad coincides with the timeframe of the property owner notification as well as when project documents will be available for public review.
Officials and Agencies	Sec. 339.155, F.S.	Not Specified	25-30 days	The required period for notification to officials and agencies is prior to notification to property owners so that they might be able to obtain additional project information to prepare for any questions they might receive from the public.
Property Owners	Sec. 339.155, F.S.	20 days	21 days	The FDOT's requirement for property owner notification is consistent with the timeframe which project documents will be available for public review. It also coincides with the first newspaper display ad.

FIGURE 11.13 Public Hearing Notice Requirements

**Notice of Meeting/Workshop Hearing
DEPARTMENT OF TRANSPORTATION**

The Florida Department of Transportation, District XX

announces a (hearing, workshop, telephone conference call – Choose one) to which all persons are invited.

DATE AND TIME _____

PLACE _____

GENERAL SUBJECT MATTER TO BE CONSIDERED:

A copy of the agenda may be obtained by contacting:

 X Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at
least (days, hours – choose one) before the workshop/meeting by contacting:

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

 If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact:

FIGURE 11.14 Sample Florida Administrative Weekly Ad Form
(www.flrules.org/agency/login.asp)

PUBLIC HEARING NOTICE

(Name of Project)

(Project Limits)

County(s), Florida

(FIN #)

The Florida Department of Transportation, District ____, will conduct a public hearing for the proposed improvements to (name of project) in (city/county), Florida, Financial Aid #: . The hearing will be held on (month/date), 20__, at (location and street address). The hearing will begin as an open house at (time) with a formal presentation at (time). The proposed improvement involves (name of project) from (begin project limits) to (end project limits), for a distance of ____ miles.

This public hearing is being conducted to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements and in accordance with Federal Executive Orders 11990 and 11988. The project consists of
(description of the recommended transportation improvements)

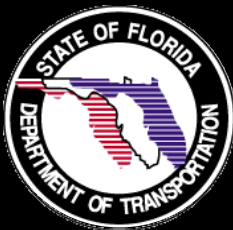
The draft project documents and other information will be available for review from
(date) to (date), at (name of locations) (and addresses). Persons wishing to submit written statements or other exhibits, in place of or in addition to oral statements, may do so at the hearing or by sending them to _____.
(FDOT project manager or other contact name)
(address).

All exhibits or statements postmarked on or before (end of 10-day comment period date) will become a part of the public hearing record.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact _____ at _____ at least seven days prior to the meeting.

(Include name, telephone number and email of contact person).



PUBLIC HEARING NOTICE

Date: _____
Time: _____
Place: _____

Florida Department of Transportation

FIGURE 11.15 Sample Public Hearing Newspaper Display Ad



Florida Department of Transportation

GOVERNOR

District Address
District City, State and Zip Code

SECRETARY

(Month/Date), (Year)

(Mr./Ms./The Honorable) First Name Last Name, Suffix
Position/Title
Address
Address 2
City, State Zip Code

Reference: Name of Project: _____
 Project Limits: _____
 County/State: _____
 Financial Management Number: _____
 Federal Aid Project Number: _____

Public Hearing Announcement

Dear (Salutation - see Figure 11-10 for proper salutations):

The Florida Department of Transportation District ____ will conduct a public hearing for the above referenced project. The hearing will be held on _____ (day of week) _____, (month/day) _____, 20____, at _____ (name and street address of location) _____, Florida. The hearing will begin as an open house at (time) _____ with a formal presentation at (time) _____. A copy of the project display ad, including a location map for the hearing is enclosed. Notices are being sent to all property owners located within at least 300 feet on either side of the proposed alignment and to other public officials, organizations, and individuals interested in the project. The hearing is being conducted to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements.

This hearing is being held as part of a current Project Development and Environment (PD&E) Study that is being conducted to evaluate proposed transportation solutions for this segment of _____ (project name) _____ and to provide documented information necessary for FDOT to reach a decision on the type, design, and location of the improvements. The project is being developed to reduce congestion, enhance safety, and achieve an acceptable level-of-service while minimizing potential impacts to the natural and human environments.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact _____ at _____ at least seven days prior to the meeting.

If you have questions about the projects or scheduled Public Hearing contact _____ at (Phone #) _____ or email.

Sincerely,

District Environmental Management Engineer

Enclosure



Florida Department of Transportation

GOVERNOR

District Address
District City, State and Zip Code
(Month/Date), (Year)

SECRETARY

Reference: Name of Project: _____
Project Limits: _____
County/State: _____
Financial Management Number: _____
Federal Aid Project Number: _____

Public Hearing Announcement

Dear Property Owner/Interested Person:

The Florida Department of Transportation District ____ will conduct a public hearing for the above referenced project. The proposed improvement involves (name of project) from (begin project limits) to (end project limits), for a distance of ____ miles. The hearing will be held on (day of week), (month/day), 20____, at (name and street address of location), Florida. The hearing will begin as an open house at (time) with a formal presentation at (time). A copy of the project display ad, including a location map for the hearing is enclosed.

This public hearing is being conducted to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements. The project consists of (description of the recommended transportation improvements). The draft project documents and other information will be available for public review from (date) to (date), at (name of locations and addresses). Persons wishing to submit written statements or other exhibits, in place of or in addition to oral statements, may do so at the hearing or by sending them to (FDOT project manager or other contact name), (mailing address). All exhibits or statements postmarked on or before (end of 10-day comment period date) will become a part of the public hearing record.

This letter is being sent to all property owners within 300 feet of either side of the proposed alignment.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact _____ at _____ at least seven days prior to the meeting.

If you have questions about the projects or scheduled Public Hearing contact _____ at (Phone #) or email.

Sincerely,

District Environmental Management Engineer

Enclosure

FIGURE 11.17 Sample Hearing Invitation Letter for Property Owners

FIGURE 11.18 Sample Hearing Speaker Card

PUBLIC HEARING TRANSCRIPT CERTIFICATION

I hereby certify that on (date) , beginning at (time) p.m., I presided over a Public Hearing for the following project:

 (Project Name)

Project Development and Environment (PD&E) Study

from (Project Limits)

 County, Florida

Financial Project ID:

I further certify that the subject Public Hearing was conducted relative to the economic and social effects of the location and design concept for the subject project and its impact on the environment, that a transcript was made and the document attached herein is a full, true, and complete transcript of what was said at the Hearing, and that the Florida Department of Transportation has considered the social, economic, and environmental effects of the proposed improvement and is of the opinion that it is properly located and should be constructed.

(Name)
Hearing Moderator

Date

FIGURE 11.19 Sample Public Hearing Transcript Certification

NAME OF NEWSPAPER

Published (Daily, Weekly, etc.)

Location of Publication (City, County, Florida)

State of Florida

County of _____

Before the undersigned authority personally appeared _____ (name of ad agent), who on oath says she/he is the _____ (title of ad agent), of the _____ (name of newspaper), a _____ (daily, weekly, etc.) newspaper published at _____ (name of town), in _____ (county), Florida; and circulated in _____ (county/counties) _____ (daily, weekly, etc.); that the attached copy of advertisement, being a display advertisement in the matter of:

Public Notice / FDOT (Name of Project)

In the court was published in _____ (city or county) edition of said newspaper in the issues of:

Date(s) of Publication

Affiant further says that the said _____ (name of newspaper) is a newspaper published at _____ (name of town) in said _____ (name of county) County, Florida, and that the said newspaper has theretofore been continuously published in said _____ (name of county) County Florida, each day, and has been entered as second class mail matter at the post office in _____ (name of city) in said _____ (name of county) County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed _____ (name of ad agent)

Sworn to and subscribed before me this ____ day of _____ (Month), _____ (Year) by _____ (name of ad agent) who is personally known to me or who has produced _____ as identification, and who did or did not take an oath.

(SEAL) _____
(Notary Public)

(Print Name)

My Commission Expires: _____

FIGURE 11.20 Sample Newspaper Affidavit of Publication

The FLORIDA DEPARTMENT OF TRANSPORTATION announces an opportunity for a public hearing.

PURPOSE: Notice is hereby given that interested persons may request a location and design concept public hearing for:

Project Name: _____
Type of Project: _____
Project Limits: _____
City/Town/County: _____, Florida
Financial Management Number: _____
Federal-Aid Project Number: _____
This Project Includes (Project Description):

This proposed project involves the use of properties protected under the National Preservation Act of 1966. Persons interested in this project may review the approved Draft Section 4(f) Statement at the following Florida Department of Transportation Office: (if applicable)

Florida Department of Transportation District ____
Mailing Address
City, State Zip Code
Telephone Number

Persons interested in requesting a location and design concept public hearing should submit a request in writing to:

Florida Department of Transportation
District Environmental Management Engineer
Mailing Address
City, State Zip Code
E-Mail Address

The request should be postmarked no more than 21 days following the publication of this notice.

FIGURE 11.21 Sample Notice to Request a Public Hearing

NOTICE OF AVAILABILITY

(Name of Project)

(Project Limits)

County(s), Florida

(FIN #)

The Florida Department of Transportation, District has released a Final Environmental Impact Statement (FEIS) for the proposed improvements to (name of project) in (city/county) , Florida, Financial Aid #: .

The project consists of
 (provide a brief summary of the project and recommendations)

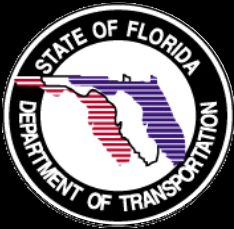
The FEIS will be available for a 30 calendar-day review period effective (date) to (date) , at (name of locations) (and addresses) .

Persons wishing to submit written statements or other exhibits, may do so by sending them to: (FDOT project manager or other contact name)
 (address to send comments)

All exhibits or statements postmarked on or before (end of 30-day comment period date) will become a part of the project record.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

(Include name, telephone number and email of contact person).



NOTICE OF AVAILABILITY OF FINAL ENVIRONMENTAL IMPACT STATEMENT

Florida Department of Transportation

**FIGURE 11.22 Sample Notice of Availability of FEIS to Publish in
Local Newspaper(s).**

On ____ (month/day) ____, ____ (Year) ____ the Federal Highway Administration granted location and design concept acceptance for the following Federal-Aid project:

Financial Management Number: _____

Federal-Aid Project Number: _____

Project Description:

This project will now proceed to the next phase of development.

**FIGURE 11.23 Sample Location and Design Concept Acceptance
Notice to Publish in Local Newspaper**